

and adequate minimum wages and the limitation of maximum working hours comporting with the increased productive power of our workers and the need for spread of work, etc.; to the Committee on Labor.

4917. By Mr. JOHNSON of Texas: Memorial of J. E. Hintz, president Oil Field Lumber Co., Mexia, Tex., favoring House bill 9620, national housing bill; to the Committee on Banking and Currency.

4918. By Mr. LANZETTA: Petition of the Knights of Columbus, New York Chapter, and the Harlem Council No. 346, Catholic Daughters of America, Court Columbia no. 45, all of New York City, and the Supreme Council, Catholic Benevolent Legion, Brooklyn, N.Y.; to the Committee on Merchant Marine, Radio, and Fisheries.

4919. By Mr. LINDSAY: Petition of the Metropolitan League of Savings and Loan Associations, New York City, favoring wide-spread relief projects to relieve unemployment; to the Committee on Labor.

4920. Also, petition of the Sperry Products, Inc., Brooklyn, N.Y., opposing the Wagner-Connery bills; to the Committee on Labor.

4921. Also, telegram of Greenhill & Daniel, Inc., Brooklyn, N.Y., objecting to the passage of the Wagner labor bill; to the Committee on Labor.

4922. Also, petition of the Magnuson Products Corporation, Brooklyn, N.Y., opposing the Wagner bill (S. 2926); to the Committee on Labor.

4923. Also, petition of K. & O. Co., Inc., Brooklyn, N.Y., opposing the Wagner bill (S. 2926); to the Committee on Labor.

4924. Also, petition of the Seabrook Bedding Co., Inc., Brooklyn, N.Y., opposing the Wagner bill (S. 2926); to the Committee on Labor.

4925. Also, telegram of the Brass Goods Manufacturing Co., Brooklyn, N.Y., opposing the Wagner labor bill (S. 2926); to the Committee on Labor.

4926. Also, petition of Abram Hussey, of Brooklyn, N.Y., opposing the passage of Senate bill 2926, the Wagner labor-disputes bill; to the Committee on Labor.

4927. Also, petition of Fairchild Sons, morticians, Brooklyn, N.Y., opposing the Wagner labor bill in its present form; to the Committee on Labor.

4928. Also, petition of F. H. Von Damm, Brooklyn, N.Y., opposing the Wagner labor dispute bill; to the Committee on Labor.

4929. Also, petition of the MacFadden Publications, Inc., New York City, opposing the Wagner labor bill; to the Committee on Labor.

4930. By Mr. RUDD: Petition of Greenhill & Daniel, Inc., Brooklyn, N.Y., opposing the passage of the Wagner labor bill; to the Committee on Labor.

4931. Also, petition of Brass Goods Manufacturing Co., Brooklyn, N.Y., opposing the Wagner labor bill (S. 2926); to the Committee on Labor.

4932. Also, petition of Bernarr McFadden, publisher, New York City, opposing the Wagner labor disputes bill; to the Committee on Labor.

4933. Also, petition of the Brooklyn Borough Gas Co., Brooklyn, N.Y., opposing the revised Wagner labor disputes bill (S. 2926); to the Committee on Labor.

4934. Also, petition of Abram Hussey, 380 Pearl Street, Brooklyn, N.Y., opposing the Wagner labor disputes bill (S. 2926); to the Committee on Labor.

4935. Also, petition of K. & O. Co., Brooklyn, N.Y., opposing the Wagner labor disputes bill (S. 2926); to the Committee on Labor.

4936. Also, petition of the Magnuson Products Corporation, Brooklyn, N.Y., opposing the Wagner labor disputes bill (S. 2926); to the Committee on Labor.

4937. Also, petition of the Baseball Magazine Co., New York City, favoring appropriation for the construction of baseball diamonds generally throughout the United States; to the Committee on Appropriations.

4938. By Mr. GLOVER: Resolution of Pine Bluff Printers Club, Pine Bluff, Ark.; to the Committee on Ways and Means.

4939. By the SPEAKER: Petition of the Conference on Problems of Minorities; to the Committee on Indian Affairs.

4940. Also, petition of the American Mining Congress, supporting the 39-hour-week bill; to the Committee on Labor.

4941. Also, petition of Julius Egger and others, supporting House bill 9596; to the Committee on Interstate and Foreign Commerce.

4942. Also, petition of W. F. Frawley and others, supporting House bill 9596; to the Committee on Interstate and Foreign Commerce.

SENATE

MONDAY, JUNE 4, 1934

(Legislative day of Monday, May 28, 1934)

The Senate met at 10 o'clock a.m., on the expiration of the recess.

THE JOURNAL

On motion of Mr. HARRISON, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Friday, June 1, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. HARRISON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Costigan	Johnson	Robinson, Ark.
Ashurst	Couzens	Kean	Russell
Austin	Cutting	Keyes	Schall
Bachman	Davis	La Follette	Sheppard
Bailey	Dickinson	Lewis	Shipstead
Bankhead	Dieterich	Logan	Smith
Barbour	Dill	Loneragan	Steiwer
Barkley	Duffy	Long	Stephens
Black	Erickson	McCarran	Thomas, Okla.
Bone	Fess	McGill	Thomas, Utah
Borah	Fletcher	McKellar	Thompson
Brown	Frazier	McNary	Townsend
Bulkley	George	Metcalf	Tydings
Bulow	Gibson	Murphy	Vandenberg
Byrd	Goldsborough	Norbeck	Van Nuys
Byrnes	Gore	Norris	Wagner
Capper	Hale	Nye	Walcott
Caraway	Harrison	O'Mahoney	Walsh
Carey	Hastings	Overton	Wheeler
Clark	Hatch	Patterson	White
Connally	Hatfield	Pittman	
Coolidge	Hayden	Pope	
Copeland	Hebert	Reynolds	

Mr. LEWIS. I announce the absence of the Senator from California [Mr. McAdoo], due to continued illness, and the absence of the Senator from West Virginia [Mr. NEELY], the Senator from Virginia [Mr. GLASS], and the Senator from Florida [Mr. TRAMMELL], who are necessarily detained from the Senate.

Mr. HEBERT. I announce that the Senator from Pennsylvania [Mr. REED] and the Senator from Indiana [Mr. ROBINSON] are necessarily absent from the Senate.

The VICE PRESIDENT. Eighty-nine Senators have answered to their names. A quorum is present.

DEFICIENCY AND SUPPLEMENTAL ESTIMATES OF APPROPRIATIONS UNDER DEPARTMENT OF JUSTICE (S.DOC. NO. 187)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting deficiency estimates of appropriations for the fiscal years 1930, 1931, and 1932 in the sum of \$659.49, and supplemental estimates of appropriations for the fiscal year 1935 in the sum of \$2,933,673, amounting in all to \$2,934,332.49, and draft of a proposed provision pertaining to an existing appropriation under the Department of Justice, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

SUPPLEMENTAL ESTIMATES OF APPROPRIATIONS FOR VOCATIONAL EDUCATION (S.DOC. NO. 186)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting, pursuant to law, supplemental estimates of appropriations for the Department of the Interior, fiscal year 1935,

for carrying out the provisions of the act entitled "An act to provide for the further development of vocational education in the several States and Territories", approved May 21, 1934, in the sum of \$3,144,603, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

SETTLEMENT OF CLAIMS AND SUITS, DISTRICT OF COLUMBIA
(S.DOC. NO. 184)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting, pursuant to law, estimates of appropriations submitted by the Commissioners of the District of Columbia to pay claims which have been settled by them under the provisions of law, amounting to \$1,238.45, and requiring an appropriation for their payment, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

THE DRUG TRAFFIC

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to provide for the forfeiture of vessels, vehicles, or other means used to transport or conceal unstamped narcotic drugs, or to facilitate the purchase and sale thereof, and for other purposes, which, with the accompanying paper, was referred to the Committee on Finance.

PROPOSED CHILD-LABOR AMENDMENT TO THE CONSTITUTION

The VICE PRESIDENT laid before the Senate a letter from the secretary of the Commonwealth of Pennsylvania, which, with his accompanying amended certificate relative to ratification by Pennsylvania of the proposed amendment to the Constitution regarding labor of persons under 18 years of age, was ordered to lie on the table and to be printed in the RECORD, as follows:

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF STATE,
Harrisburg, May 31, 1934.

PRESIDENT OF THE UNITED STATES SENATE,
Washington, D.C.

DEAR SIR: We are transmitting herewith a new certificate showing the action of the General Assembly of Pennsylvania in ratifying the child-labor amendment to the Constitution of the United States.

This certificate replaced one previously mailed and shows the date when the joint resolution was approved by the Senate and the House of Representatives of the Commonwealth of Pennsylvania. In all other respects this certificate is identical with the one previously mailed to you.

The change is made in accordance with the request of the Secretary of State of the United States addressed to the Honorable Gifford Pinchot, Governor of this Commonwealth.

Sincerely yours,

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

IN THE NAME AND BY AUTHORITY OF THE COMMONWEALTH OF PENNSYLVANIA

OFFICE OF THE SECRETARY OF THE COMMONWEALTH.

To the honorable the SECRETARY OF STATE OF THE UNITED STATES:

I, Richard J. Beamish, secretary of the Commonwealth of Pennsylvania and keeper of the great seal thereof, do hereby certify that the following joint resolution was approved by the Senate of the Commonwealth of Pennsylvania the 18th day of December 1933, by the house of representatives of said Commonwealth the 21st day of December 1933, and by the Governor the 22d day of December 1933, and that the following is a full, true, and correct copy of the said joint resolution of the general assembly:

"Joint resolution approving the proposed amendment to the Constitution of the United States relative to the labor of persons under 18 years of age

"SECTION 1. Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in general assembly met, That the proposed amendment to the Constitution of the United States, providing as follows:

"SECTION 1. The Congress shall have power to limit, regulate, and prohibit the labor of persons under 18 years of age.

"Sec. 2. The power of the several States is unimpaired by this article, except that the operation of State laws shall be suspended to the extent necessary to give effect to legislation enacted by the Congress"

"is hereby ratified by the General Assembly of the Commonwealth of Pennsylvania.

"Be it further resolved, That a certified copy of the foregoing preamble and resolution be forwarded to the Secretary of State for

the United States, in accordance with section 205 of the Revised Statutes of the United States, and also to the President of the United States Senate and the Speaker of the United States House of Representatives."

E. C. SHANNON,
President of the Senate.
GROVER C. TALBOT,
Speaker of the House of Representatives.

Approved the 22d day of December, A.D. 1933.

GIFFORD PINCHOT.

In witness whereof I have hereto attached my hand and the great seal of the Commonwealth of Pennsylvania this 23d day of May, A.D. 1934.

[SEAL]

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

STEAMSHIP CODE

Mr. DAVIS. Mr. President, on behalf of my colleague [Mr. REED] I submit for printing in the RECORD and appropriate reference certified copy of a report adopted by the Philadelphia Board of Trade, protesting the enactment of a steamship code, together with a letter of transmittal signed by H. W. Wills, secretary of the Philadelphia Board of Trade.

There being no objection, the matter was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

PHILADELPHIA BOARD OF TRADE,
Philadelphia, May 31, 1934.

HON. DAVID A. REED,

United States Senate, Washington, D.C.

MY DEAR SENATOR: I enclose you herewith certified copy of a report adopted by the Philadelphia Board of Trade, protesting enactment of a steamship code as referred to therein.

We would appreciate your having this presented and referred to the proper committee.

Very truly yours,

H. W. WILLS, Secretary.

EXTRACT FROM MINUTES OF STATED MEETING OF THE EXECUTIVE COUNCIL,
PHILADELPHIA BOARD OF TRADE, MAY 21, 1934

PHILADELPHIA BOARD OF TRADE,
Philadelphia.

Your committee, having thoroughly considered and discussed the principles involved in the proposed establishment of the steamship code of fair practice, presents the following:

There being involved under the proposed steamship code the divergent interests of the coastwise, intercoastal, and foreign services, whose intricate operating conditions present such contradictory problems, your committee is at a loss to appreciate the advantage in the public interest which such a code, if established, would present. It would give the National Recovery Administration power of a legislative and judicious character, which power should be exercised only by those tribunals already created for the express purpose of exercising such power, viz, the Shipping Board Bureau and the Interstate Commerce Commission.

Congress declined to vest in the Shipping Board Bureau minimum-rate authority. The proposed code, however, confers that power upon an administrator as the code authority. It provides that the administrator may utilize "the assistance of the Shipping Board Bureau and the Interstate Commerce Commission to the fullest extent deemed advisable by him."

There is no inference that the administrator is obliged to consult either or both these bodies more than he may see fit. This naturally precipitates a conflict under a dual authority, for it is inconceivable that the code administrator will seek to be governed by the views of the Shipping Board Bureau or the Interstate Commerce Commission.

It is the opinion of men competent to judge, and who attended the recent hearing at Washington, that the only serious advocates of the proposed code appeared to be the administrator, supported by a small group of shipbuilders and representatives of the American Steamship Owners Association. This hearing involved primarily the rate-fixing provisions of the proposed code and which provisions were vigorously opposed by representatives of many independent steamship interests, supported by representatives of large shippers' associations.

It is important to note that in the proposed code no differential rates are provided for tramp steamers. If the great volume of cargo is taken into consideration, moving as it does by tramp steamers in cargo lots—the great bulk moving from ports not served by regular lines—to foreign countries, it is easily discernible that with our treaties now in effect (favored-nation clause) varied and serious complications will arise, ending in reprisals against us tending to ruin American-flag services to foreign ports.

Your committee has in mind also the fact that the Federal Coordinator of Transportation has definitely advised that the railroads of the country, being already so thoroughly regulated under the Interstate Commerce Commission, should not be subject to codification under the N.R.A. By virtue of this definite opinion your committee would suggest that the steamship owners and operators under the American flag, being also subject to regulations laid down by the Shipping Board Bureau of the United

States Department of Commerce, are entitled to similar consideration. That while our strictly coastwise and intercoastal steamship services might be susceptible to treatment under a code of some description, the Government of the United States could exert no authority of practical effect upon foreign services. Were these regulations attempted upon services operating to ports abroad under the American flag, the same would be subjected to unfair competition in the service, would suffer retaliatory practices at foreign ports, and such an experiment, if continued indefinitely, must serve to discourage to the point of extinction all operations in the foreign trade under the American flag, to advance which American taxpayers have already invested billions of dollars.

It is obvious from previous experience that vessels calling at the ports of the United States under a foreign flag could not be made to comply with the freight rates, wage conditions, and operating policies necessary in effecting satisfactory regulation of American-flag vessels under such a code, and consequently such regulation as might be placed on the American-flag vessel would ultimately prove an unfair restriction upon its enterprise in trade on the high seas and hence prove a compelling influence in the disorganization of American-flag operation.

Your committee would, therefore, recommend the executive council approve and authorize a suitable communication addressed Congress and proper administrative executives expressing opposition to further consideration or enactment of a steamship code.

On motion the report was unanimously approved and adopted.

True copy.

[SEAL]

THE PHILADELPHIA BOARD OF TRADE,
C. C. MORRIS, Vice President.

Attest:

H. W. WILLS, Secretary.

REPORT OF BOARD OF VISITORS TO THE MILITARY ACADEMY

Mr. SHEPPARD. Mr. President, I ask unanimous consent that the report of the Senate Board of Visitors to the United States Military Academy made to me, as Chairman of the Committee on Military Affairs, be printed in the RECORD and lie on the table.

There being no objection, the report was ordered to lie on the table and to be printed in the RECORD, as follows:

MAY 25, 1934.

HON. MORRIS SHEPPARD,

Chairman Committee on Military Affairs,

United States Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The undersigned members of the Senate Board of Visitors to the United States Military Academy, visited that institution on May 15 and 16, 1934. Senators REED and LOGAN were unable to make the visit, due to the press of official business.

Arriving at the Military Academy at 10:15 a.m., May 15, we were met by the Superintendent, Maj. Gen. William D. Connor; then proceeded to headquarters, where the official salute was fired; the members of the administrative staff were met, and inspection of the headquarters offices and building made.

The schedule for the balance of the day was as follows:

- 11:15 a.m., cadet headquarters.
 - 11:30 a.m., cadet rooms.
 - 11:40 a.m., cadet store.
 - 12:10 p.m., observe cadets march to dinner.
 - 12:30 p.m., luncheon, officers' mess, with the academic faculty.
 - 1:30 p.m., Memorial Hall.
 - 1:45 p.m., riding hall.
 - 2 p.m., library.
 - 2:15 p.m., academic buildings.
 - 2:50 p.m., field artillery and cavalry barracks and stables, intramural sports.
 - 4:25 p.m., organ recital.
 - 7:30 p.m., dinner, Superintendent's quarters.
- The schedule carried out on May 16 was as follows:
- 9:15 a.m., arrive at post headquarters.
 - 9:30 a.m., cadet gymnasium, cadet classes, new gymnasium construction.
 - 10:15 a.m., section rooms.
 - 11 a.m., hospital, new addition.
 - 11:15 a.m., cadet visitors' room.
 - 11:30 a.m., drawing academy.
 - 11:50 a.m., cadet mess.
 - 12:10 p.m., observe cadets march to dinner.
 - 12:20 p.m., luncheon with cadets.
 - 1 p.m., cadet parade and review.
 - 2 p.m., departed for Washington.

The general impression gained by the Board of the personal and professional characteristics and performance of members of the administrative staff, academic staff, instruction and tactical personnel, and of the corps of cadets is that of great loyalty and devotion to the academy, of enthusiasm in the performance of their respective duties, and of high efficiency as a coordinated unit. Especially pleasing to the members of the Board was the conviction that this educational institution is one wholly dedicated to the real development of American democracy and a subordination of self to the sole and supreme purpose of service to the Nation

and its people. It is very apparent that the motto of the academy, "Duty, honor, country", is observed in spirit and in results. Following are more detailed observations of the Board:

OBJECTIVE OF THE INSTITUTION

The educational objective of the Military Academy is to give the graduate a broad foundation upon which to build his future life and to base his further technical studies in the Army service schools.

THE INDIVIDUAL CADET

The cadets coming as they do from all sections of the country and from all walks of life undoubtedly present a typical cross section of the American youth found nowhere else in the country except at the Naval Academy. The lives of all cadets are identical, and the former position of a cadet in civil life, whether from a social, financial, or other standpoint, has no bearing upon his status as a cadet, which depends entirely upon what he individually brings with him to the institution. A more democratic theory or treatment would be difficult to imagine.

The completeness of the educational plant in buildings and equipment and the beauty of the natural surroundings suggest the idea of luxury, since neither the Congress nor nature has been niggardly in its treatment of this national academy. It was gratifying, therefore, to find that the life of a cadet is marked by extreme simplicity in living conditions, both as to his quarters in cadet barracks and as to his subsistence. Every cadet has exactly the same type of clothing, bedding, furniture, and equipment. All live identically the same life and all must conform to the same requirements and measure up to the same standards. Two, or sometimes three, live in a room. The rooms are without ornament or luxury and are characterized by neatness, orderliness, and austere simplicity. Cadets sweep their own floors, make their beds, dust the woodwork, and arrange their belongings for daily inspection.

CADET TRAINING

As a cadet's training progresses, he is gradually given more responsibility. He commands at drills and ceremonies and assists in training cadets of the lower classes. He is instructed in the theory and practice of command, and emphasis is laid upon the proper and considerate handling of enlisted men.

In order that a cadet may better understand the point of view of the soldiers that he will later command, he is required to perform, at sometime, all the duties of an enlisted man from carrying a horse to peeling potatoes. This practice was exemplified in the cavalry and artillery drills observed during the Board's visit.

While half of the corps was at military instruction, the other half was at intramural athletics, every cadet being required to play on a regularly organized team in some athletic sport. Companies alternate each day between drill and athletics and rotate in the various games that they play.

Unlike the student of other institutions, a cadet's time, his personal contacts, and practically all his activities are controlled and supervised by his military and academic instructors. The high standards of honor, deportment, and discipline can in a large measure be attributed to the fact that these instructors are themselves graduates of West Point, familiar with the viewpoint of cadets and zealous in maintaining the traditions that in times past have reflected credit upon their Alma Mater.

CADET MESS

On the 15th an inspection was made of the cooking facilities, mess equipment, and the dining hall. The cooking is done by civilian personnel with modern steam and gas equipment. The present gas equipment is operating at a 50-percent saving as compared with the cost of coal used with the old equipment. The kitchen equipment is plain, durable, and is kept immaculate.

The dining hall is sufficiently large to accommodate the Corps of Cadets at full strength at one time and is so arranged as to permit the cadets to enter and leave without confusion. The cadets are seated 10 to a table, with approximately an equal number from each class at a table. One civilian waiter brings the food for three tables and service at the table is performed by the cadets. Each member of the Board had lunch on the 16th at a table with nine cadets. We found the table service simple but scrupulously clean, and the food plain but very palatable and wholesome.

RATION ALLOWANCE

The ration allowance was reduced on April 1, 1933, by 15 percent, from 75 cents to 63¾ cents per day. This amount must provide not only meals for the cadets, but for all civilian mess employees as well and must pay for many incidentals in the upkeep of the mess, such as dishes, linen, kitchen utensils, and cleaning supplies.

Much difficulty has been found and is still being experienced in keeping within the present allowance of 67½ cents. The cost of food has increased considerably since the ration allowance was reduced, thus causing much more than a 15-percent cut. Only by the full use of the mess facilities, such as the bakery and the cold-storage and freezing equipment, and using the cheaper kinds of meat, can the cost to the cadets be kept near the allowance. Any additional expense over the authorized allowance must be paid for by the cadet from his pay. The original 80-cent allowance would be more in keeping with present-day prices.

HOSPITALIZATION

An inspection was made of the station hospital, which provides hospital and out-patient medical, surgical, and dental treatment for all personnel at the post, including cadets, officers, soldiers, and their families.

We found the hospital and allied medical activities very efficiently administered. The hospital of 112 beds was found to be immaculately clean, well arranged, and otherwise in excellent condition. The equipment is ample and of the most modern type. An additional ward is now under construction and will be ready for occupancy about the 1st of next June. This addition is of the most modern type, and will give additional facilities for the care of seriously ill patients and those patients suffering with communicable diseases who must be isolated.

The medical staff, composed of selected officers of the Medical Department, is well organized, and the character of work performed conforms to the highest standards of civilian institutions.

The percentage of sick is low, seldom running higher than 2.5 percent. No cases were very serious at the time of our visit, and about half of them were minor sprains and bruises, apparently arising out of the active athletic lives led by the cadets.

ACADEMIC WORK

The academic work at the United States Military Academy is carried on by 12 departments, each headed by a professor. Eight of the professors are permanent and four are detailed for periods of 4 or 5 years each. Nine of the professors are graduates of the Military Academy and three are graduates of civilian institutions.

Each professor is assisted by an associate professor or an assistant professor, or both, and a number of instructors, all of whom are detailed from officers of the Army with the exception of 3 civilians in the department of modern languages—2 Frenchmen and 1 Spaniard. Some of the instructors are graduates of civilian institutions, but the majority of them are graduates of West Point, many of the latter having done work in civilian institutions and holding degrees from them. A number of well-trained civilians, who are on the civil-service list, are also assigned to various departments to handle special lines of work, such as that of laboratory assistants and mechanics. The instructor personnel is believed to be very able and well equipped to perform their duties.

METHODS OF INSTRUCTION

We visited several different section rooms during recitations and were very favorably impressed by the enthusiasm, thoroughness, and drive with which the instruction was conducted. We met personally practically all the members of the academic board and discussed with them the courses of instruction.

Each of the four classes under instruction at the Military Academy is divided into sections of from approximately 12 to 16 cadets, depending upon the class and upon the subject of instruction. Each section is under the direction of an instructor, usually a commissioned officer of the Army. In modern languages, French and Spanish, native French and Spanish instructors are used to supplement the instruction given by the officer instructors.

In the section room in general the period of instruction ranges from 1 hour for certain subjects to 1 hour and 25 minutes for others. The necessary preliminary instruction is given at the beginning of the period. This instruction is intended to bring out points in the lesson of the day which have presented unusual difficulty to the cadet in his preparation of the lesson assignment, to extend the presentation set forth in the text, and to give to the cadet as broad a view of the subject as available time permits. Likewise, points in previous lessons which may still be causing trouble are cleared up. This preliminary instruction, which may last from 10 to 20 or even 30 minutes, depends upon the nature of the subject. The preliminary instruction is then followed by specific assignments to individual cadets, who usually prepare their assignments at blackboards for formal recitations. Others may undergo written tests at their seats. In many subjects during the period in which the cadet is preparing his work at the blackboard, or answering a written test at his seat, the instructor questions one or more cadets on the lesson of the day or on matter already covered. After a considerable length of time, cadets at the blackboards take their seats, the oral questioning is discontinued, and more or less formal recitations on various subjects of the day's assignment are made. In some subjects this work covers practically the entire period, and in others near the end of the period some 10 or 15 minutes are devoted to clearing up additional points not covered by the preliminary period of instruction or in the series of recitations. Each class under instruction is kept arranged in sections in each particular subject from the top to the bottom of the class on the basis of aptitude in that particular subject. Instructors are assigned to sections in accordance with their special aptitude for instruction in the part of the class to which assigned. The instruction is well coordinated, thorough, and painstaking. The small number of cadets in each section permits the instructor to have an intimate acquaintance with each of his pupils and a thorough knowledge of his difficulties.

In general, each cadet recites daily, is graded each day on his work of the day, and at the end of each week his grades for the current week are posted for his information. Any cadet deficient in any subject during his first 2 months at the academy is obliged to take extra instruction in that subject. Thereafter any cadet can have special extra instruction in any subject upon request.

INSTRUCTOR PERSONNEL

Instructors in charge of sections at the United States Military Academy are especially selected for duty as instructors, with due regard to their intellectual fitness, military bearing, temperament, maturity, as well as for their special aptitude in and preparation

for work in the subjects taught in the department to which they are assigned. Only under special circumstances is any officer assigned to the Military Academy until he shall have been away from the academy for 4 years. The average age of instructors at the Military Academy is in the early thirties. They are men who have settled down to their profession of arms and who, by their services at the academy, in the Army after graduation, and by special training at educational institutions, have become equipped as teachers. They are dignified and serious in their work. Their enthusiasm, earnestness, and teaching ability appealed to us as being of a high order.

In order to prepare instructors for their duties at the Military Academy, many of them subsequent to graduation from West Point have pursued courses of instruction at educational institutions throughout the country, either obtaining degrees or receiving the benefit of special shorter courses of particular value to them.

Instructors in French and Spanish spend the first year of their detail as instructors in Paris or Madrid taking a special course in one of the national universities in the language of the country.

Once they are assigned to duty in a department at West Point, daily conferences are held by the head of the department, or by senior instructors qualified for such work, and during these conferences special effort is made not only to extend and improve their preparation for teaching but also to impress upon them sound pedagogical methods.

Heads of departments prepare themselves for this work not only through continuous study and practice but through frequent visits to other educational institutions. The percentage of instructors at the Military Academy who have taken post-graduate degrees after finishing their course at West Point is large. Likewise each department of instruction is well equipped with up-to-date departmental libraries, current educational literature, technical publications, etc.

We were particularly impressed with the fact that the Military Academy gets practically the choice of its graduates for duty as instructors. As stated above, these men are especially selected not only on their general fitness as evidenced by intellectual attainments and special fitness for the work they undertake, but also on the basis of their success as younger officers of the Army subsequent to graduation. Their efficiency reports are carefully examined, and none but the best are detailed for duty at the Military Academy. A similar condition of affairs can scarcely exist in any other institution in the world. It is well recognized that most educational institutions lose the cream of their product to more highly paid profession than the profession of teaching. Not so at West Point. Since all Army officers who have like grades and length of service receive the same pay, no such condition militates against the instructing staff. They are the choice of the Army for the work in hand, and they are held up to a high standard of performance.

BUILDINGS AND GROUNDS

The buildings of the academy are well adapted to the purposes for which constructed, and both buildings and grounds are maintained at a high standard and with a reasonable cost for maintenance. Most of the buildings in the central part of the post are constructed of stone and are fireproof. These buildings were not built for a day nor a year, but for centuries, and they gave an appearance of solidity, durability, and dignity in keeping with the spirit of the Military Academy.

It was a shock to see in the officers' apartment building and South Cadet Barracks, built within the last few years, that for the sake of economy brick instead of stone had been used for exterior walls. It is felt that such economy is not in the best interest of the Government, and that the cheaper construction detracts from the beauty and dignity of adjacent buildings which have already played an important part in the history and traditions of the Military Academy. All new construction and all changes in existing structures ought to be in keeping with the style of architecture and the quality of workmanship that now dominate in the institution. The granite used in the principal buildings was quarried from the adjacent hills, thus materially reducing the ordinary cost of such durable construction.

New construction at the Military Academy has followed a building program approved long ago by the War Department. For several years prior to 1933, the normal annual appropriation for this program was approximately \$500,000. The allotment of \$2,500,000 from the Public Works Administration has advanced the program materially. New construction, now in progress, includes a Quartermaster plant with warehouses, shops, commissary, and stables; 50 sets of quarters for lieutenants; nurses' quarters; two barracks for enlisted men; a grammar school for the children of the post; an extension of the present cadet gymnasium; a veterinary hospital; an incinerator, and a seawall and ramp for the airplane hangar. With the completion of the new construction now under way, the most immediately pressing needs of the Military Academy will have been met.

Some further construction is needed to complete the building program; the most important projects required are the completion of the extension to the cadet gymnasium, a garage for the official motor transportation, a storage plant for coal, and the completion of the road system at West Point.

Our visit culminated in a review of the entire corps of cadets. Such a ceremony by an organization enjoying the reputation of being the best drilled body in the world was indeed impressive.

There are appended hereto certain data in tabulated form which we recommend be studied.

RECOMMENDATIONS

That future Senate Boards of Visitors make the visit each year as a body and with complete membership, and spend not less than 3 days at the Academy.

That all appropriations for building at the Academy specify that such construction should be such material and architecture as to completely harmonize in appearance and permanency with the principal granite buildings.

Respectfully submitted.

MARCUS A. COOLIDGE,
ROBERT R. REYNOLDS,
ROBERT D. CAREY.

PROGRAM OF INSTRUCTION AND COURSE OF STUDIES

(Including changes effective Sept. 1, 1933)

85. Program of the course of instruction: First term, September 1 to December 23; 95 periods with Saturday recitations and 80 periods without Saturday recitation. Second term, January 2 to June 4; 130 periods with Saturday recitations and 109 periods without Saturday recitations. Semiannual examination, December 26 to 31. Annual examination, June 5 to 12. Academic day, 7:55 a.m. to 11:55 a.m. and 1:00 p.m. to 3:00 p.m. Military exercises, all classes, from 3:15 p.m. to 4:15 p.m. Supervised athletics, from 3:15 to 4:25 p.m. Voluntary study hour and additional instruction, 5:10 to 6:10 p.m.

Class	Subject	Attendance	Part	Hours
Fourth (1st year)	Mathematics	Whole class daily	Half	7:55 to 9:25 Sept. 1 to Jan. 31.
Do.	do	do	do	9:25 to 10:55 Sept. 1 to Jan. 31.
Do.	do	do	do	7:55 to 9:15 Feb. 1 to June 4.
Do.	do	do	do	10:35 to 11:55 Feb. 1 to June 4.
Do.	Gymnasium	do	do	9:25 to 10:10 Sept. 1 to Jan. 31.
Do.	do	do	do	10:55 to 11:40 Sept. 1 to Jan. 31.
Do.	do	Half class daily alternating in attendance with drawing Feb. 1 to June 4.	Fourth	8:30 to 9:15 Feb. 1 to June 4.
Do.	do	do	do	9:15 to 10 Feb. 1 to June 4.
Do.	Drawing	Half class daily alternating in attendance with gymnasium Feb. 1 to June 4.	do	7:55 to 9:15 Feb. 1 to June 4.
Do.	do	do	do	9:55 to 11:15 Feb. 1 to June 4.
Do.	Laboratory	When ordered, half class daily alternating in attendance with gymnasium Feb. 1 to June 4.	do	7:55 to 9:55 Feb. 1 to June 4.
Do.	do	do	do	9:55 to 11:55 Feb. 1 to June 4.
Do.	French	Half class daily except Saturday alternating in attendance with English.	do	1 to 2.
Do.	do	do	do	2 to 3.
Do.	English	Half class daily except Saturday alternating in attendance with French.	do	1 to 2.
Do.	do	do	do	2 to 3.
Third (2d year)	Mathematics	Half class daily alternating in attendance with physics.	do	7:55 to 9:15.
Do.	do	do	do	10:35 to 11:55.
Do.	Physics	Half class daily alternating in attendance with mathematics.	do	7:55 to 9:15.
Do.	do	do	do	10:35 to 11:55.
Do.	Laboratory	When ordered, half class daily alternating in attendance with mathematics.	do	7:55 to 9:55.
Do.	do	do	do	9:55 to 11:55.
Do.	History	Half class daily alternating in attendance with French.	do	7:55 to 9:05.
Do.	do	do	do	10:45 to 11:55.
Do.	French	Half class daily alternating in attendance with history.	do	7:55 to 9:05.
Do.	do	do	do	10:45 to 11:55.
Do.	English	Half class daily except Saturday alternating in attendance with drawing.	do	1 to 2.
Do.	do	do	do	2 to 3.
Do.	Drawing	Half class daily except Saturday alternating in attendance with English.	Half	1 to 3.
Second (3d year)	Philosophy	Whole class daily	do	7:55 to 9:15.
Do.	do	do	do	10:35 to 11:55.
Do.	Laboratory	As ordered.	As ordered	7:55 to 9:50.
Do.	do	do	do	10 to 11:55.
Do.	Chemistry and electricity	Whole class daily	Half	7:55 to 9:15.
Do.	do	do	do	10:35 to 11:55.
Do.	Laboratory	As ordered.	As ordered	7:55 to 9:50.
Do.	do	do	do	10 to 11:55.
Do.	Spanish	Half class daily except Saturday, alternating in attendance with drawing Sept. 1 to Jan. 31, and with tactics Feb. 1 to June 4.	Fourth	1 to 2.
Do.	do	do	do	2 to 3.
Do.	Drawing	Half class daily except Saturday till Jan. 31, alternating with Spanish.	Half	1 to 3.
Do.	Tactics	Half class daily except Saturday Feb. 1 to June 4, alternating with Spanish.	Fourth	1 to 2.
Do.	do	do	do	2 to 3.
First (4th year)	Engineering	Whole class daily	Half	7:55 to 9:15.
Do.	do	do	do	10:35 to 11:55.
Do.	Ordnance and gunnery	Half class daily alternating with economics and government.	Fourth	7:55 to 9:05.
Do.	do	do	do	10:45 to 11:55.
Do.	Laboratory	As ordered.	As ordered	7:55 to 9:50.
Do.	do	do	do	10 to 11:55.
Do.	Economics and government	Half class daily except last 28 days of spring term (see hygiene).	Fourth	7:55 to 9:05.
Do.	do	do	do	10:45 to 11:55.
Do.	Hygiene	Replaces economics and government for last 28 days of spring term.	do	7:55 to 9:05.
Do.	do	do	do	10:45 to 11:55.
Do.	Law	Half class daily except Saturday alternating in attendance with tactics and riding.	do	1 to 2.
Do.	do	do	do	2 to 3.
Do.	Tactics and riding	Half class daily except Saturday alternating in attendance with law.	do	1 to 2.
Do.	do	do	do	2 to 3.

(1st Ind., W.D., A.G.O., 6/27/33—A.G. 351.05 West Point, N.Y.)

SCHEDULE OF CALLS

Reveille roll call, week days, assembly	6:00 a.m.
Sundays and holidays, assembly	7:45 a.m.
Breakfast roll call, week days, assembly	6:30 a.m.
Sundays and holidays, assembly	8:15 a.m.
Sick call, immediately after breakfast at Washington Hall.	
Call to quarters:	
Daily except Sundays and holidays	7:15 a.m.
Week days except Saturdays	1:00 p.m.
Daily	7:05 p.m.
Assembly	7:15 p.m.

Academic hours daily, Sundays and holidays excepted. 7:55–11:55 a.m.
Dinner roll call, daily except Sundays and holidays, assembly. 12:10 p.m.
Sundays and holidays, assembly. 12:30 p.m.
Academic hours, daily, Saturdays, Sundays, and holidays excepted. 1:00–3:00 p.m.
Review and inspection, Saturdays, inspection only in inclement weather, assembly. 1:10 p.m.
Formal guard mounting when review is held, assembly 10 minutes after dismissal of last company from inspection (informal when no review).

Release from quarters, daily except Saturdays, Sundays, and holidays..... 3:00 p.m.
 Drill, daily except Wednesdays, Saturdays, Sundays, and holidays, assembly..... 3:15 p.m.
 Recall from drill..... 4:15 p.m.
 Parade, Sundays only, assembly..... 5:30 p.m.
 Retreat, when no parade..... 5:30 p.m.
 Supper, daily..... 6:20 p.m.
 Tattoo, daily..... 9:30 p.m.
 Taps, first..... 10:00 p.m.
 Taps, second..... 10:30 p.m.
 On occasions of general entertainment first taps will be sounded 20 minutes after the close of the event and second taps 30 minutes after first taps.

Church on Sundays:
 Catholic Chapel, assembly..... 8:15 a.m.
 Cadet Chapel Sunday School teachers, assembly..... 9:15 a.m.
 Choir..... 9:25 a.m.
 Cadet Chapel, assembly..... 10:45 a.m.

Enrollment of Corps of Cadets, U.S. Military Academy

Sources of appointments	Authorized strength	Strength on May 15, 1934	Vacancies in the corps
Senators (96).....	192	157	35
Congressmen (433).....	870	740	130
President.....	60	58	2
Vice President.....	2	2	0
Regular Army.....	90	90	0
National Guard.....	90	82	8
District of Columbia.....	4	4	0
Territories (2).....	4	4	0
Puerto Rico.....	2	2	0
Honor schools.....	20	15	5
Sons of Army officers who died in war.....	20	10	10
Sons of enlisted men who died in war.....	20	4	16
Philippine Islands.....	4	3	1
Total.....	1,378	1,171	1,207
Foreign cadets.....		4	
Total.....		1,175	

¹ The total strength of 1,175 on May 15, 1934, and the total of 207 vacancies as of that date, have been determined by including in the strength 21 ex-cadets discharged in January 1934 for deficiency in studies but who qualified upon reexamination in March and are to be readmitted on Aug. 23, 1934, to fill their own vacancies. Not including these ex-cadets, the total present-and-absent strength of the Corps of Cadets as of May 15, 1934, is 1,154.

First class.....	251
Second class.....	234
Third class.....	296
Fourth class.....	323

Total..... 1,154

Total military personnel, morning report of May 15, 1934

Organization	Today	Authorized detached enlisted men's list	Authorized staff	Authorized line
Medical and veterinary.....	81		80	
Twenty-ninth Ordnance Company.....	40		40	
Quartermaster Corps Detachment.....	38		39	
Sixth-ninth Motor Transport Company.....	39		36	
Ninety-fourth Motor Repair Section.....	12		14	
Staff noncommissioned officers.....	7	7		
Band.....	68	68		
Field music.....	29	29		
Engineers.....	104	56		
Service.....	217	218		
Field Artillery.....	205	170		
Coast Artillery.....	27	30		
Military Police.....	69	70		
Signal detachment.....	38	37		
Second Squadron, Tenth Cavalry.....	208			208
Air Corps detachment.....	7			7
Total.....	1,189	745	209	215

Authorized strength, Staff Corps.....	209
Authorized strength, detached enlisted men's list.....	745
Authorized strength, line organizations.....	215
Authorized enlisted strength, total.....	1,169
Authorized strength, Cadet Corps.....	1,374
Summary	
Officers.....	1,224
Cadets.....	1,154
Nurses.....	13
Warrant officers.....	3
Civilian instructors.....	6
Civilian chaplain.....	1
Enlisted men.....	1,189
Attached enlisted men.....	2
Aggregate.....	2,592

¹ Includes 3 on construction duty, 4 language students abroad, 1 retired officer on active duty as librarian.

LXXVIII—653

Public animals

Cavalry horses.....	211
Field Artillery horses.....	133
Quartermaster Corps:	
Horses.....	20
Mules.....	2
Total.....	366

Public Works Administration allotments to United States Military Academy

(a) New construction by the quartermaster general:	
Auxiliary detachment barracks.....	\$261,000
Military police barracks.....	200,000
Quartermaster storehouse.....	150,000
Quartermaster stable.....	160,000
Quartermaster shops, commissary warehouse, etc.....	175,000
Veterinary hospital.....	20,000
Grammar school.....	133,000
Nurses' quarters.....	120,000
Addition to cadet gymnasium.....	483,000
50 sets junior officers' quarters.....	800,000
Seawall ramp and concrete apron in front of hangar.....	20,000
Insulating and fireproofing hangars.....	3,000
Incinerator.....	20,000
Telephone construction.....	5,000
Total under quartermaster general.....	2,550,000

(b) Maintenance expected by the superintendent:	
Painting exterior woodwork and metal work of officers' and enlisted men's quarters in public buildings.....	50,300
Repainting exterior stone and brick work, officers' and enlisted men's quarters and public buildings, and renewing chimneys where necessary.....	56,000
Replacing old heating units, 13 sets of quarters.....	12,290
Installing heating units, N.C.O. quarters.....	25,279
Replacing defective wiring in public buildings.....	8,900
Repairing and renewing exterior woodwork in officers' quarters and other public buildings.....	10,000
Repairs to roads throughout the post.....	100,000
Replacing all corroded and rusted pipe with brass where needed throughout the post.....	80,000
Replacement of kitchen sinks and defective toilets where needed.....	22,779
Miscellaneous repairs to buildings and utilities.....	134,252
Total for maintenance purposes.....	500,000

CIVIL WORKS ADMINISTRATION

Augmenting the P.W.A. allotments the Military Academy was earmarked for 216,210 man-days' labor by the Civil Works Administration together with a grant of \$303,086 for materials. A comprehensive plan for the employment of these resources was drawn up but the severe winter and slowness in dispatch of workers to West Point cut active operations under this heading to a meager fraction of the whole. The project as set forth provided such items as road construction, repair to buildings that had deteriorated under restricted maintenance of recent years, and utilities and structures required in connection with concurrent construction under P.W.A. operations.

Of the 216,210 man-days set up at the commencement of operations, only 26,537 actually reported and were employed. However, the labor and materials have been wisely expended and real benefits have accrued.

REPORTS OF COMMITTEES

Mr. WALCOTT, from the Special Committee on Conservation of Wild Life Resources, to which was referred the bill (S. 3411) to authorize the acquisition of additional land for the Upper Mississippi River Wild Life and Fish Refuge, reported it with amendments and submitted a report (No. 1238) thereon.

Mr. SHEPPARD, from the Committee on Commerce, to which was referred the bill (S. 3693) granting the consent of Congress to the State Board of Public Works of the State of Vermont to construct, maintain, and operate a toll bridge across Lake Champlain at or near West Swanton, Vt., reported it without amendment and submitted a report (No. 1239) thereon.

Mr. FLETCHER, from the Committee on Banking and Currency, to which was referred the bill (H.R. 8513) to authorize the coinage of 50-cent pieces in commemoration of the boyhood home of Gen. Thomas J. (Stonewall) Jackson, reported it without amendment.

Mr. NORBECK, from the Committee on Banking and Currency, to which was referred the bill (S. 3665) to amend

² Upon receipt of motorized equipment number of Field Artillery horses will be reduced to 104.

³ To be allotted direct to chief signal officer.

⁴ To replace shortage in 1934 maintenance funds.

section 28 of the act of May 25, 1918 (relating to deposits of tribal or individual Indian funds), reported it without amendment and submitted a report (No. 1250) thereon.

He also, from the same committee, to which was referred the bill (S. 3666) to amend section 61 (relating to deposits of bankrupt estates) of the act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, reported it with an amendment and submitted a report (No. 1251) thereon.

Mr. THOMAS of Utah, from the Committee on Military Affairs, to which was referred the bill (S. 3618) to grant a portion of the Fort Douglas Military Reservation to the University of Utah, Salt Lake City, Utah, reported it with an amendment and submitted a report (No. 1249) thereon.

Mr. LOGAN, from the Committee on Military Affairs, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 1293. An act authorizing the President to order Maj. E. P. Duval before a retiring board for a hearing of his case, and upon the findings of such board determine whether or not he be placed on the retired list with the rank and pay held by him at the time of his resignation (Rept. No. 1240);

H.R. 2632. An act for the relief of Wilson G. Bingham (Rept. No. 1241); and

H.R. 6497. An act for the relief of James Henry Green (Rept. No. 1242).

Mr. LOGAN also, from the Committee on the Judiciary, to which was referred the bill (S. 3635) to authorize the reduction of the required distance between liquor distilleries and rectifying plants and to authorize higher fences around distilleries, reported it without amendment and submitted a report (No. 1243) thereon.

Mr. VAN NUYS, from the Committee on the Judiciary, to which was referred the bill (S. 3311) to incorporate the National Association of State Libraries, reported it without amendment.

Mr. STEPHENS, from the Committee on Claims, to which was referred the bill (H.R. 2669) for the relief of Paul I. Morris, reported it with an amendment and submitted a report (No. 1244) thereon.

Mr. WHEELER, from the Committee on Indian Affairs, to which was referred the bill (S. 2894) to provide funds for cooperation with school district no. 17-H, Big Horn County, Mont., for extension of public-school buildings to be available to Indian children, reported it without amendment and submitted a report (No. 1245) thereon.

Mr. CAPPER, from the Committee on the District of Columbia, to which was referred the bill (S. 2684) to regulate foreclosure of mortgages and deeds of trust in the District of Columbia, reported it with amendments and submitted a report (No. 1246) thereon.

Mr. McCARRAN, from the Committee on the District of Columbia, to which was referred the bill (H.R. 1646) to promote safety on the streets and highways of the District of Columbia by providing for the financial responsibility of owners and operators of motor vehicles for damages caused by motor vehicles on the public highways in the District of Columbia; to prescribe penalties for the violation of the provisions of this act, and for other purposes, reported it with amendments and submitted a report (No. 1247) thereon.

Mr. COPELAND, from the Committee on the District of Columbia, to which was referred the bill (H.R. 9143) providing educational opportunities for the children of soldiers, sailors, and marines who were killed in action or died during the World War, reported it with amendments and submitted a report (No. 1248) thereon.

ADDITIONAL EXPENDITURE, SPECIAL COMMITTEE ON CONSERVATION OF WILD LIFE RESOURCES

Mr. WALCOTT (for himself, Mr. PITTMAN, and Mr. McNARY), from the Special Committee on Conservation of Wild Life Resources, reported a resolution (S.Res. 254), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the special committee authorized and directed by Senate Resolution No. 246, on April 17, 1930, to investigate the

conservation of wild animal life hereby is authorized to expend in furtherance of such purposes \$10,000 in addition to the amounts heretofore authorized.

CONTINUATION OF INVESTIGATIONS OF SECURITY DEALINGS, BANKING PRACTICES, ETC.

Mr. FLETCHER. From the Committee on Banking and Currency, I report a resolution unanimously approved by that committee, for which I ask present consideration.

There being no objection, the resolution (S.Res. 258) was considered and agreed to, as follows:

Resolved, That Resolution No. 56, agreed to April 4, 1933, authorizing the Committee on Banking and Currency to make certain investigations of security dealings, banking practices, and the effects of same, and Resolution No. 97, agreed to June 8, 1933, enlarging the authority of the above-mentioned resolution, hereby are continued in full force and effect until the end of the first session of the Seventy-fourth Congress.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on the 2d instant that committee presented to the President of the United States the following enrolled bills and joint resolution:

- S. 85. An act for the relief of Paul J. Sisk;
- S. 177. An act for the relief of Woodhouse Chain Works;
- S. 256. An act for the relief of Milburn Knapp;
- S. 308. An act to authorize the award of a decoration for distinguished service to Harry H. Horton;
- S. 512. An act for the relief of Peter Pierre;
- S. 785. An act for the relief of Elizabeth Bolger;
- S. 1073. An act for the relief of E. Walter Edwards;
- S. 1081. An act for the relief of McKimmon & McKee, Inc.;
- S. 1429. An act for the relief of Anthony J. Lynn;
- S. 1460. An act for the relief of Edgar Stivers;
- S. 1772. An act for relief of the Western Montana Clinic, Missoula, Mont.;
- S. 1932. An act for the relief of Alfred Hohenlohe, Alexander Hohenlohe, Konrad Hohenlohe, and Viktor Hohenlohe by removing cloud on title;
- S. 2002. An act for the relief of R. S. Howard Co., Inc.;
- S. 2342. An act for the relief of I. T. McRee;
- S. 2623. An act to amend the act entitled "An act to require the erection of fire escapes in certain buildings in the District of Columbia, and for other purposes", approved March 19, 1906, as amended;
- S. 2745. An act to provide for changing the time of the meeting of Congress, the beginning of the terms of Members of Congress, and the time when the electoral votes shall be counted, and for other purposes;
- S. 2748. An act to authorize an appropriation for the reimbursement of Stelio Vassiliadis;
- S. 2798. An act for the relief of Nephew K. Clark;
- S. 2889. An act for the relief of certain Indians of the Fort Peck Reservation, Mont.;
- S. 2969. An act for the relief of the Mary Black Memorial Hospital;
- S. 2980. An act to modify the effect of certain Chippewa Indian treaties on areas in Minnesota;
- S. 3128. An act to pay certain fees to Maude G. Nicholson, widow of George A. Nicholson, late a United States commissioner;
- S. 3290. An act to amend an act entitled "An act to establish a Board of Indeterminate Sentence and Parole for the District of Columbia and to determine its functions, and for other purposes", approved July 15, 1932;
- S. 3307. An act for the relief of W. H. Le Duc; and
- S.J.Res. 123. Joint resolution empowering certain agents authorized by the Secretary of Agriculture to administer oaths to applicants for tax-exemption certificates under the Cotton Act of 1934.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

Mr. STEPHENS, from the Committee on Commerce, reported favorably the nominations of Edward Maurer, of Kentucky, and Alvin A. Morrison, of Ohio, to be supervising inspectors, Bureau of Navigation and Steamboat Inspection.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

Mr. CONNALLY, from the Committee on Finance, reported favorably the nomination of Harry P. Hornby, of Uvalde, Tex., to be collector of customs for customs collection district no. 23, with headquarters at San Antonio, Tex., in place of Harry L. Sexton, deceased.

The PRESIDENT pro tempore. The reports will be placed on the Executive Calendar.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred, as follows:

By Mr. DAVIS (for Mr. REED):

A bill (S. 3720) conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of John W. Hubbard (with an accompanying paper); to the Committee on Claims.

By Mr. JOHNSON:

A bill (S. 3721) for the relief of Charles G. Johnson, State treasurer of the State of California; to the Committee on Claims.

By Mr. McNARY:

A bill (S. 3722) to authorize preliminary examination and survey of De Poe Bay, Oreg.; to the Committee on Commerce.

By Mr. O'MAHONEY:

A bill (S. 3723) to amend the Mineral Lands Leasing Act of 1920 with reference to oil- and gas-prospecting permits and leases; to the Committee on Public Lands and Surveys.

By Mr. WAGNER:

A bill (S. 3724) to aid in providing the people of the United States with adequate facilities for park, parkway, and recreational-area purposes, and to provide for the transfer of certain lands chiefly valuable for such purposes to States and political subdivisions thereof; to the Committee on Public Lands and Surveys.

By Mr. RUSSELL:

A bill (S. 3725) for the relief of Nellie S. Barbee; to the Committee on Claims.

A bill (S. 3726) to create a national memorial military park at and in the vicinity of Kennesaw Mountain, in the State of Georgia, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. COOLIDGE:

A bill (S. 3727) for the relief of John J. O'Connor; to the Committee on Military Affairs.

By Mr. WHEELER:

A bill (S. 3728) for the relief of the heirs of Louise Cullooyah and Michel Kizer, deceased; to the Committee on Indian Affairs.

By Mr. NORBECK:

A bill (S. 3729) to convey certain lands to the State of South Dakota for public-park purposes, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. WALSH:

A bill (S. 3730) granting the consent of Congress to the county commissioners of Essex County, in the State of Massachusetts, to construct, maintain, and operate a free highway bridge across the Merrimack River, in the city of Lawrence, Mass.; to the Committee on Commerce.

TAX ON FLOOR STOCKS—AMENDMENT

Mr. SMITH submitted an amendment intended to be proposed by him to the bill (S. 3419) to exempt articles of machinery belting from the tax on floor stocks imposed by the Agricultural Adjustment Act, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

EMERGENCY CONSTRUCTION OF PUBLIC HIGHWAYS—AMENDMENT

Mr. McNARY submitted an amendment intended to be proposed by him to the bill (H.R. 8731) to increase employment by authorizing an appropriation to provide for emergency construction of public highways and related projects, and for other purposes, which was ordered to lie on the table and to be printed.

RECIPROCAL TARIFF AGREEMENTS—STATEMENT RELATIVE TO PROPOSED AMENDMENTS

Mr. SCHALL. Mr. President, the two amendments which I hereby submit to the pending bill (H.R. 8687) to amend the Tariff Act of 1930, to be inserted at the proper place in the bill, are to meet the conditions created by the Government itself—conditions that are continuing under Government administration, acts, and policies.

I refer to the known effect of the so-called "new deal" measures—the N.R.A. and the A.A.A.—on production costs of agricultural products.

The Government itself will not deny that the costs of agricultural production in this country have been increased by the so-called "price stabilization" policy of the N.R.A. and the processing taxes of the A.A.A.

The Department of Agriculture, the Consumers' Advisory Board of the N.R.A., the Department of Labor, and the Federal Reserve Board, have all produced data to demonstrate the existence of increased production cost whereby the farmer pays more for everything he buys, although he may receive less for what he sells.

This increase of agricultural production cost in the United States cuts down the power of the American farmer to compete either in the home market or in foreign markets. It amounts to a reduction of protective duties for agriculture—without such action as may be taken pursuant to the terms of the pending bill.

The American farmer has no crop to export this year or next, so that he can receive no benefit from the proposed expansion of foreign markets. His only hope for existence is a fair price for what he has to sell in the home markets. Reduction of duties to invite imports of foreign agricultural products means death to American agriculture under pretense of national recovery.

I ask that the amendment may lie on the table, be printed, and printed in the RECORD.

There being no objection, the amendments were ordered to lie on the table, to be printed, and to be printed in the RECORD, as follows:

At the proper place in the bill to insert the following:

"Provided, That no reciprocal tariff treaties or agreements made pursuant to the provisions of this act shall reduce existing tariff duties on products of agriculture imported into the United States in competition with like products grown or produced in the United States."

At the proper place in the bill to insert the following:

"Provided, That pursuant to the terms of this act no reduction of tariff duties shall be made on imported articles entering into competition with like domestic products, the production cost of which has been increased by the Government through levy of processing taxes under the provisions of the Agricultural Adjustment Act of 1933."

NERISSIA V. GRAY, ET AL.

Mr. GOLDSBOROUGH submitted the following resolution (S.Res. 255), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate to Nerissia V. Gray, daughter, and Leighton O. Talbert, James L. Talbert, and John D. Talbert, sons, of James E. Talbert, late a laborer in the employ of the Senate, under the direction of the Sergeant at Arms, a sum equal to 1 year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of expenses and all other allowances.

INVESTIGATION OF RAILROAD FREIGHT RATES

Mr. GEORGE submitted the following resolution (S.Res. 256), which was referred to the Committee on Interstate Commerce:

[S.Res. 256, 73d Cong., 2d sess.]

Resolution

Whereas it is alleged that the present rate system adopted by the rail carriers of the United States has resulted in higher rates per mile in some sections of the United States than others notwithstanding efforts of Congress to make rail carriers a national system; and

Whereas it is alleged that proposals are now before the Interstate Commerce Commission to make rates on textiles considerably higher from one section of the United States than for a similar distance from another section of the United States: Therefore, be it

Resolved, That the Committee on Interstate Commerce, or any duly authorized subcommittee thereof, is authorized and directed

to examine into the present railroad freight rates with a view to determining (1) the relative investment costs and the value fixed by the Interstate Commerce Commission of the properties of class I railroads in the United States, separating such values so as to show the same in the various freight territories of the country, (2) the cost of hauling freight, or the cost per car-mile of the movement of freight, as determined by the Federal Coordinator of Transportation or from other sources, in each of the several freight territories, (3) the effect of making rates throughout the country and regulating, if necessary, the needs of the different carriers as was done in the New England Divisions case (261 U.S. 184), and (4) the methods pursued by freight associations and railroads in jointly prescribing rates. The committee shall report to the Senate, as soon as practicable after the convening of the Seventy-fourth Congress, the results of its investigation, together with its recommendations.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions and recesses of the Senate in the Seventy-third and Seventy-fourth Congresses, to employ such clerical and other assistants, to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed \$5,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

ASSISTANT CLERK TO COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

Mr. CONNALLY submitted the following resolution (S.Res. 257), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That Resolution No. 111, agreed to January 19, 1934, authorizing the Committee on Public Buildings and Grounds to employ an assistant clerk, to be paid from the contingent fund of the Senate, hereby is continued in full force and effect until the end of the first session of the Seventy-fourth Congress.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had passed without amendment the following bills of the Senate:

- S. 176. An act for the relief of Harry Harsin;
- S. 254. An act for the relief of Fred H. Cotter;
- S. 1078. An act for the relief of Mrs. Asa Caswell Hawkins;
- S. 1994. An act for the relief of Estelle Johnson;
- S. 2696. An act to amend an act entitled "An act granting a charter to the General Federation of Women's Clubs";
- S. 2750. An act for the relief of Claude A. Brown and Ruth McCurry Brown, natural guardians of Mamie Ruth Brown;
- S. 2790. An act for the relief of the Charlestown Sand & Stone Co., of Elkton, Md.;
- S. 2918. An act for the relief of N. Lester Troast;
- S. 2973. An act for the relief of First Lt. Walter T. Wilsey;

- S. 3026. An act for the relief of Lucy Cobb Stewart;
- S. 3117. An act authorizing and directing the Court of Claims, in the event of judgment or judgments in favor of the Cherokee Indians, or any of them, in suits by them against the United States under the acts of March 19, 1924, and April 25, 1932, to include in its decrees allowances to Frank J. Boudinot, not exceeding 5 percent of such recoveries, and for other purposes; and

- S. 3380. An act providing for the appointment of Richmond Pearson Hobson, formerly a captain in the United States Navy, as a rear admiral in the Navy, and his retirement in that grade.

The message also announced that the House had passed the bill (S. 3285) to provide for the regulation of interstate and foreign communications by wire or radio, and for other purposes, with an amendment; that the House insisted upon its amendment to the bill, requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. RAYBURN, Mr. HUDDLESTON, Mr. LEA of California, Mr. MAPES, and Mr. WOLVERTON were appointed managers on the part of the House at the conference.

The message further announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

- S. 620. An act for the relief of Catherine Wright;
- S. 1077. An act for the relief of Lueco R. Gooch;
- S. 1401. An act to pay a gratuity to Emma Ferguson Starrett;

- S. 1430. An act for the relief of M. Thomas Petroy;
- S. 1516. An act for the relief of Michael Bello;
- S. 1731. An act for the relief of Marion Von Bruning (nee Marion Hubbard Treat); and
- S. 2377. An act for the relief of A. E. Shelley.

The message also announced that the House had passed the following bills of the Senate, severally with amendments, in which it requested the concurrence of the Senate:

- S. 1191. An act for the relief of the Sultzbach Clothing Co.;
- S. 2023. An act for the relief of Claudia L. Polski; and
- S. 2636. An act for the relief of James Slevin.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

- H.R. 452. An act for the relief of Laura B. Crampton;
- H.R. 529. An act for the relief of Morris Spirt;
- H.R. 1792. An act for the relief of Michael Petrucelli;
- H.R. 3243. An act for the relief of Harry E. Good, administrator de bonis non of the estate of Ephraim N. Good, deceased;

- H.R. 4446. An act for the relief of E. E. Hall;
- H.R. 4838. An act for the relief of the Massachusetts Bonding & Insurance Co., a corporation organized and existing under the laws of the State of Massachusetts;

- H.R. 4952. An act for the relief of Theodore W. Beland;
- H.R. 5109. An act for the relief of Joe G. Baker;
- H.R. 5543. An act for the relief of T. Brooks Alford;
- H.R. 5584. An act for the relief of William J. Kenely;
- H.R. 5606. An act for the relief of W. R. McLeod;
- H.R. 5668. An act authorizing the relief of the McNeill-Allman Construction Co., Inc., of W. E. McNeill, Lee Allman, and John Allman, stockholders of the McNeill-Allman Construction Co., Inc., and W. E. McNeill, dissolution agent of McNeill-Allman Construction Co., to sue in the United States Court of Claims;

- H.R. 5835. An act for the relief of Ward J. Lawton, special disbursing agent, Lighthouse Service, Department of Commerce;

- H.R. 5947. An act authorizing adjustment of the claim of the Western Union Telegraph Co.;

- H.R. 6350. An act for the relief of Arthur Smith;
- H.R. 6622. An act authorizing the Secretary of Commerce to lease certain Government land at Woods Hole, Mass.;

- H.R. 6993. An act for the relief of Capt. Frank J. McCormack;

- H.R. 7121. An act authorizing the Secretary of the Treasury to pay Dr. A. W. Pearson, of Peever, S.Dak., and the Peabody Hospital, at Webster, S.Dak., for medical services and supplies furnished to Indians;

- H.R. 7163. An act for the relief of the D. F. Tyler Corporation and the Norfolk Dredging Co.;

- H.R. 7292. An act for the relief of the Boston Store Co., a corporation, Chicago, Ill.;

- H.R. 7367. An act for the relief of Sarah Smolen;
- H.R. 7736. An act for the relief of Rocco D'Amato;
- H.R. 7953. An act for the relief of the Dallas County Chapter of the American Red Cross;

- H.R. 8108. An act for the relief of Jeannette Weir;
- H.R. 8115. An act for the relief of May L. Marshall, administratrix of the estate of Jerry A. Litchfield;

- H.R. 8328. An act for the relief of the heirs of C. K. Bowen, deceased;

- H.R. 8587. An act to extend the benefits of the Employees' Compensation Act of September 7, 1916, to William Thomas;

- H.R. 8650. An act for the relief of B. J. Sample;
- H.R. 8688. An act for the relief of Stella E. Whitmore;
- H.R. 8727. An act for the relief of the First State Bank & Trust Co., of Mission, Tex.; and

- H.R. 9820. An act for the relief of the State of Nebraska.

PRICE FOR ELECTRICITY

Mr. NORRIS. Mr. President, in the magazine *Today* the leading article is by Judson King on the subject "What's an Honest Price for Electricity?" I ask unanimous consent that the article may be printed in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the *Today* of May 5, 1934]

THE HIGH COST OF PRIVATE PROFIT IN PUBLIC UTILITIES—WHAT'S AN HONEST PRICE FOR ELECTRICITY?

By Judson King

It is rather amazing that after 25 years of State and Federal regulatory bodies, there never has been an investigation or compilation by any official agency of electric rates charged in the United States. Yet such information is constantly needed and demanded by Members of Congress, municipal, State, and Federal officers, especially progressive State utility commissioners.

Of late there has come a still more vigorous demand for this information from the people themselves. Not only the householders but merchants, professional men, and small power users, and even large manufacturers are uneasy. They have lost confidence in the utilities. They believe they are overcharged. They want to know what other consumers in other States and localities similarly situated are paying.

Most of them simply want to know what is an honest price for service by a private company.

Furthermore, they would like to have these rate schedules, usually as undecipherable as an Egyptian hieroglyph, made clear enough to enable them to figure comparisons. At present there is no uniformity or system in any State, let alone in the United States, and this multiplicity of schedules involving different methods of computation is filled with "demand charges"; "service charges"; "off-peak" and "on-peak"; "variations"; "coal clauses"; "power factors"; penalties, and rebates galore, until the average citizen gives up in despair the attempt to master his problem.

There will be national rejoicing, in consequence, over the investigation into electric rates throughout the United States which the Federal Power Commission has been directed to undertake.

Senator NORRIS easily passed the resolution calling for this inquiry through the Senate weeks ago, but Representative RANKIN, who comes from Tupelo, Miss., the first city to sign up for Muscle Shoals current, encountered opposition from both sides of the aisle.

There was delay in getting the resolution out of the Committee on Interstate and Foreign Commerce. Had it not been for the cooperation of Speaker RAINY and the knowledge that the White House was firmly behind the resolution, it would have died on the calendar. The power people are opposed to this inquiry and they will be active in the campaign this fall.

Another factor inclined many Members to hesitancy—the prospect of a genuine inquiry and its correlation with others in progress.

For the first time, we have, under Chairman Frank R. McNinch, a Power Commission that respects seriously all the provisions of the Federal Water Power Act of 1920 and holds it is not a mere leasing agency for private enterprise. Mr. McNinch and his Commission prefer private to public operation, provided that private operators respect law established in the public interest. The Commission is by no means a radical body. However, it is keen for facts, and doubtless for that reason is, by order of the President, conducting inquiries into the power resources of the Nation, the transmission of electrical energy, and the cost of distribution.

Hence, this new inquiry into what the consumers are paying for electric service handsomely fits in with the other investigations showing what it actually costs the power companies and public plants to furnish such service.

We must note also the Federal Trade Commission investigation, which already has uncovered more than a billion and a quarter dollars worth of inflated securities put out by the leading power companies, on which dividends are supposed to be paid out of rates, and large amounts annually expended for political and propaganda purposes, all charged up to operating expenses and paid by the consumers. With a complete picture of the industry presented by these examinations, the people will have reliable data on which to base their conclusions as to whether they are being overcharged.

There are today around 15,500 communities in the United States served by some 1,627 private companies and 1,824 publicly operated plants. The only source of general information we have had to date is the annual rate book published formerly by the National Electric Light Association and now by its successor, the Edison Electric Institute. It originally was available to company executives only, but now may be purchased by non-members of the Edison Electric Institute for \$25. No rates of public plants are included. It contains data for cities of 20,000 population and up (actually fewer than 500), representing only 3 percent of the communities which have electric service.

From all this, it will appear that Senator NORRIS and Representative RANKIN, by insisting upon the resolution, and the President, by promptly signing it, have performed a very useful service.

The Federal Power Commission will discover a startling variety of rates, levied without regard for cost of production or method

of generation. If it be urged that rates are fixed by State regulatory commissions, the evidence indicates that the commissions must be as variable in their methods and moods as the rates.

Today the delivered cost of current in large cities, whether generated by water power or coal, varies so little that there is no legitimate reason for such sharp differences in rates to consumers. In large cities top rates run from 4 cents to 12 cents per kilowatt-hour, and in smaller cities and towns all the way from 5 cents up to 10 and 12 cents. In municipal plants the rates are generally lower, but here, again, there are wide variations, depending largely upon how much money the city fathers desire to take from the light plant and transfer to general funds.

Let us illustrate by concrete cases. An average family, living in a 6-room house, needs at least 180 kilowatt-hours per month for light, refrigeration, washing, ironing, sweeping, and a few small appliances.

In New York City the cost for this amount of current in 1932 was \$9.55; in Chicago, \$6.48; in San Francisco, \$6.80; in Washington, D.C., \$5.90. These are private plants.

In such plants the cost would have been in Jamestown, N.Y., \$5.05; in Springfield, Ill., \$4.20; Tupelo, Miss., now charging standard Tennessee Valley Authority rates, \$4.10; and Tacoma, Wash., \$3.20.

It is perhaps necessary to note here that the taxes and higher interest rates paid by private companies are more than offset by the amortization requirements of public plants and the sums they turn back into plant extensions or transfer to the city treasury.

Just now there is concern among investors in private-company securities that, if material rate reductions are made, their incomes will be cut off, the companies forced into bankruptcy and their savings lost. They will resent this new inquiry. It is not the purpose of the administration to disturb sound investments but rather to protect investors against wildcat speculation. Had the objectives now sought been reached 10 years ago, those thousands of persons who cast in their fortunes with those of Mr. Insull might have had their life savings in hand today.

It is a curious fact that those private companies which have been forced by regulation or by public competition to reduce their rates below the general level of private rates are today the soundest, most successful, and perhaps the most respected utilities in the Nation.

The history of the Electric Illuminating Co., of Cleveland, Ohio, is revealing.

In 1910 this was a typical coal-generating company, charging 10 cents per kilowatt-hour domestic, with commercial and industrial schedules proportionately high. Mayor Tom Johnson was informed by engineers that the total switchboard cost of generating current was only around 9 mills per kilowatt-hour, and that a municipal plant could sell domestic current at 3 cents, cut industrial rates by 30 or 40 percent, and still make money.

Mayor Johnson started the fight. His death intervened, and the \$2,000,000 city plant, built by his successor, Newton D. Baker, began operation in 1914. The city council passed an ordinance ordering the private company to reduce its domestic rate to 3 cents. After 5 years the company's legal and technical experts proved to the satisfaction of the State public utilities commission and the State supreme court that the company had to charge 10 cents to protect its investors and give good service. This was in January 1919, and in the following June the company begged the city council to give it a short-time franchise, not at 10 but at 5 cents per kilowatt-hour. This was granted. The people were turning to their 3-cent plant for service.

At the time this 5-cent rate went into effect, companies in other large cities were charging from 8 to 12 cents. Did the Cleveland Electric Illuminating Co. go into bankruptcy? It did not. It has expanded from a \$15,000,000 company in 1912 to a \$140,000,000 concern covering all northeastern Ohio, selling at the uniform top rate of 5 cents, which lately has been reduced, in Cleveland, to 4 cents. It is very prosperous.

Meantime, the little city plant has grown from a \$2,000,000 to a \$20,000,000 concern, still selling at 3 cents. It is estimated that the competitive effect of the city plant has been to save the consumers of Cleveland more than \$40,000,000 in the last 15 years.

Such instances could be multiplied. They prove beyond question that the private companies can make very material reductions in rates, remain prosperous, and assure sweet sleep to the holders of their securities. They raise the interesting question of how many millions of dollars have been extracted from the pockets of electrical consumers during 25 years above a "fair return" of 7 or 8 percent upon actual investment.

The balance sheets of municipal plants furnish further evidence that rates can be reduced without unjustifiable injury to investors. While many of the smaller public plants have rates as high as, or sometimes higher than, comparable private plants, all the more important ones have had much lower rates.

In 1917 householders of Los Angeles received service from their public plant at an average cost of 4.5 cents per kilowatt-hour as against a national average of 7.5 cents. Los Angeles now is down to 3.4 cents and the national average to 5.5; but in the meantime, out of earnings, the Los Angeles plant has put \$40,000,000 into extensions and paid off \$14,000,000 of bonds. Private companies do not amortize their investments and they finance extensions by the sale of securities.

If the city were financing its plant on a private basis, it could reduce rates further by 20 percent, according to Chief Engineer Scattergood.

Among farmers the same fluctuations of rates obtain throughout the Nation. Some have been paying top rates of 5 cents, others 8, others 10, and on up to 18 or 20 cents per kilowatt-hour. No one will contend that farm and small-town service can be uniform or as low as in larger places. But these spreads are all out of line with costs or common sense. Farmers of the Tennessee Valley region are long will be getting Muscle Shoals current at around 3 cents per kilowatt-hour, and, at that, will be paying their own way, including taxes and without subsidy from the Government.

It will be highly interesting one of these days when the Federal Power Commission makes its report to lay existing rates, public and private, alongside the T.V.A. "yardstick" and then the Boulder Dam and others. To achieve success, however, they must have many municipalities connected, as do private superpower systems, and to that end cities desiring such service need financial aid not only to obtain loans from the Federal Government to set up competing distributing systems as now provided but to buy out existing private systems, when possible, and so avoid duplication.

A bill to accomplish this through the Reconstruction Finance Corporation, introduced by Senator HIRAM JOHNSON, is pending in Congress. It should be enacted. Municipalities have difficulty in financing their plants from private sources. Let us give them a fair chance.

ADMINISTRATION OF THE AGRICULTURAL ADJUSTMENT ACT

Mr. COSTIGAN. Mr. President, the administration of the Agricultural Adjustment Act is of daily concern to farmers in all parts of the United States. An article which gives that administration detailed and enlightening discussion appeared in the New York Times of Sunday, June 3, 1934. The article is by the highly capable administrator of the A.A.A., Mr. Chester C. Davis. I ask unanimous consent to have it printed in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Sunday, June 3, 1934]

ONE YEAR OF THE A.A.A.: THE RECORD REVIEWED—THE ADMINISTRATOR SUMS UP THE ACHIEVEMENTS OF 12 MONTHS AND SURVEYS THE FUTURE, PREDICTING THAT THE NATION WILL NOT RETURN TO THE "TOOTH-AND-CLAW" ERA OF INDIVIDUALISTIC FARMING

(A year has elapsed since the Agricultural Adjustment Act went into effect. Its effectiveness and its future are under sharp debate in Washington; the controversy centers about the proposal to extend the powers of the Agricultural Adjustment Administration. In the following article the record of the 12 months is reviewed, some of the immediate problems surveyed and the future of the new deal in farming discussed by the man in immediate charge of the gigantic operation.)

By Chester C. Davis, Administrator of the A.A.A.

The launching of the greatest cooperative effort ever undertaken by farmers is the outstanding accomplishment of the Agricultural Adjustment Administration's first year.

Organizing themselves into county production control associations, 3,000,000 farmers in 48 States have signed contracts which make them voluntary partners in planning their production and improving their incomes. These contracts apply to four great staple export crops—wheat, cotton, corn-hogs, and tobacco.

Though incomplete, the experiment marks the beginning of a big-scale transition away from a purely individualistic agriculture. In 12 months these farmers have taken one long step to avert the merciless punishment inflicted upon them by planless competition with one another in an economic world dominated by the centralized and controlled forces of modern finance and industry.

A YEAR OF RECOVERY

The final test of this experiment in agricultural planning will be its benefits to farmers and society. The Agricultural Adjustment Administration's first year has been accompanied by substantial recovery in the economic condition of agriculture. This partial recovery has come from a diversity of causes, among which the better adjustment of supply with demand has been basic. Farm cash income has been increased through better prices due to production adjustments, to the President's monetary policy, and to the revival of city buying power following the Government's vigorous employment measures.

The farmer's cash income, including benefit payments, is up 39 percent for the past 12 months over that for the corresponding period a year ago. Although this income was partly offset by rising prices of things farmers buy, the buying-power of farm commodities has improved 20 percent, as shown by the change in the farm price index, from 52 for April 1933, to 62 for April 1934. This index shows the net gain in the exchange value of farm commodities through price improvement alone and does not show the effect of benefit payments.

In addition to income through better prices, farmers have received close to \$250,000,000 in benefit payments, rentals, and options paid in consideration of their cooperation in balancing production. These payments are designed to make up, so far as possible, the discrepancy between price and fair exchange value or parity, measured by the pre-war purchasing power of farm products, on that part of the crop consumed in this country.

"A GOOD BEGINNING"

These benefit payments are being successfully self-financed by processing taxes, not by appropriations from the Public Treasury. The increased buying power of producers of cotton, wheat, tobacco, and other products has had important effects upon recovery of industry and trade throughout the country. The program has worked, on the whole, as it was expected to work. A good beginning has been made.

The march of 3,000,000 farmers to join their county production control associations in a voluntary experiment of such scope is a dramatic and historic thing. But the drama of it is magnified as this unprecedented experiment in planned farm production encounters a vast natural calamity—a drought which, as I write, ranks among the greatest in extent and intensity among all rainfall shortages suffered by American agriculture.

This drought already has blasted production in parts of the Dakotas, Minnesota, and Nebraska. It has cut sharply into yields over a much wider area, including most of the corn belt. It has added the blind cruelty of nature to the punishment suffered by farmers through blind production in recent years. The experiment in agricultural adjustment therefore is to progress in 1934 not under normal and predictable conditions but under conditions which are abnormal in the extreme.

But acute need for agricultural planning always arises out of acute human distress. Ultimately, the usefulness of any farm plan would be measured not only by its function in meeting the everyday problems of agriculture, but also upon its adaptability to the unusual needs of extreme emergency.

THE FORCES MOBILIZED

The Agricultural Adjustment Administration has now mobilized its forces to combat the menace of drought. Cooperating with the Federal Emergency Relief Administration, the Farm Credit Administration, and with units of the Department of Agriculture, we have made a series of moves which have been reported daily by the press. What relief may fall from the skies upon the parched plains in the coming months we do not know. But the planning has been done, through provision for buying and removal of cattle, for movement of money, food, feed, and seed, and for encouragement of production of forage, to cope with drought conditions at their worst.

The predicament of burned-out farmers thus far this year is unprecedented, perhaps more because of the scope than because of the intensity of drought. Drought is no stranger to the American farmer. He had the shortest grain crop last year in 40 years, and the devastation of rainless 1894 is talked about in the West as a pitiless parallel of 1934.

NATURAL MISFORTUNES

Every year in this country some farmers somewhere see their crops ruined by drought, hail, flood, or pest. Year after year, farmers in these stricken areas have pleaded for some constructive social planning which would shield them from brutish exposure to unseeing natural misfortune. Such appeals have been based on the unanswerable ground that society loses when the productive power of whole regions is blasted, perhaps beyond recovery for several years.

Farm spokesmen have urged that common sense, humanity, and national security all demand provisions for assuring to agriculture some continuity of income against crop losses caused through no fault of the farmer. Such protection has been sought as a part of reasonable compensation and sensible safeguard of continuous production of the Nation's food and raw materials. These appeals all have contemplated agricultural planning practical enough to include large-scale crop-income insurance as a vital feature.

This was one of the needs which the Agricultural Adjustment Act was devised to meet. The adjustment plan will function in this way this year for all the hundreds of thousands of farmers in the drought States who signed production-control contracts. With this in view from the very first, the production-control contract payments have been based upon past averages of production, not upon the current production of the year in which the payment is made. Therefore the amount of the payment in any one year is not affected by the size of the crop that the farmer gets in that year. His yield may be burned out, hailed out, or flooded out, or destroyed by grasshoppers, chinch bugs, or weevils. But if he signs a production-adjustment contract and fulfills its terms, the farmer gets his benefit payment just the same.

In the drought area the farmer now has a taste of the same kind of protection which the flour miller long has enjoyed in insuring himself through the device of the hedge in buying wheat. Agricultural planning as worked out by M. L. Wilson and put into effect by the Adjustment Administration's production programs has offered in its first year the greatest crop-income insurance measure ever undertaken for farmers by any nation anywhere in the world. It applies to cotton, corn-hogs, and tobacco just as to wheat. It does not apply to dairying because the dairy industry has not united upon any program.

BENEFITS OF INSURANCE

What such crop-income insurance means in emergency can be understood from the fact that South Dakota farmers in last year's drought year got several times as much cash out of their wheat benefit payments as out of the sale of their poor little wheat crop. It is estimated that South Dakota farmers got \$3,400,000 out of their wheat-benefit payments, and possibly only about \$320,000

out of all the wheat they had left over for sale after feed and seed needs were met.

In time of a calamitous drought the crop-income insurance feature of agricultural planning may mean the difference between misery and sustenance, and the difference between prostration of the producing power of a region and a fighting chance for the farmer to get a new start in another year.

So the drought, while it has placed a great burden of responsibility upon the Agricultural Adjustment Administration and has intensified some and lightened other problems confronting the administration, has demonstrated the need for agricultural planning as nothing else could have done.

I am aware that there are people, many of them speaking vehemently for interests already safeguarded by efficient protective controls and devices, who denounce any planning and decry any protective devices for agriculture. But the individualistic "let-alone" philosophy becomes more repugnant the more closely its effects on agriculture are observed.

In its sheerest form, unplanned rugged individualism for agriculture means refusal of governmental assistance in collective effort of farmers to protect themselves against drought or any other similar calamity. It means exposure of the farmer to lone-handed contest with the blind forces of nature, with which his trade forces him always to match his strength. It means misery and starvation somewhere for some farmers every year.

Remember that agriculture nationally may be penalized by low prices due to surplus accumulation, while simultaneously some smitten areas may suffer the added penalty, due to drought, of having little or nothing to sell even at the depressed prices. I am now describing not some mere theory but the stark fact that staggered thousands of farmers last year and will confront them again in 1934.

A GLUTTED WORLD MARKET

Does anyone imagine that the stricken Wheat Belt would have had to take the modest market prices of 1933, or the inadequate wheat prices thus far this year, for any reason except long-continued surplus production and glutted world wheat markets? Because of the crushing combination of national and world surplus with regional drought, important spring and winter wheat States have been compelled for 2 successive years to take very modest prices for low yields of wheat. In this situation the benefit payments to those who cooperated in crop adjustments, while not large enough to compensate for crop shortage still were a big help.

The situation in the last 14 years has cried out for agricultural planning, production adjustment, and farm-income insurance. Grain merchants who collect the more commissions bushel by bushel when surplus ruins the price, and speculators who scramble for profits when drought raises the price, may not want farmers to do any planning of production. Many of them object to the thought that the farmers should even try to have any influence on price, or try to "hedge" collectively against the worst losses from drought. But I doubt whether the farmers of this country will ever want to go back to the dog-eat-dog individualism these opulent gentlemen prescribe in the place of agricultural planning which now has been begun.

The drought has brought into sharp relief the crop-income insurance features of the Agricultural Adjustment plan and has emphasized the fact that these provisions afford farmers a hitherto unattainable degree of protection from such misfortune on a higher and juster plane than that of charity. This protection could not have been afforded on an equal scale without governmental assistance, because the farmers, acting as individuals, could not combine either to influence production or to insure their crops. The Government, through this plan, has begun to perform a rightful function in protecting a great economic group which has been unable to protect itself.

But the insurance feature, while right now of superlative importance, is in the long run not the principal measure in the broad program of farm planning undertaken under the Agricultural Adjustment Act.

The main objective of agricultural planning is to seek and maintain, through good years and bad, the best possible balance between production and effective demand for farm products, so as gradually to restore parity of exchange value to agriculture.

While this does not necessarily mean curtailing production—it might mean encouraging greatly increased production—the biggest handicap to agriculture, as every farm administration in the past 12 years has recognized, has been caused by accumulation of surpluses of the staple crops.

PILING UP OF SURPLUSES

War-time expansion of plantings by 50,000,000 acres, followed by loss of export markets with this country's transition from a debtor to a creditor Nation and the resulting accumulation of surpluses all served to drive down farm prices.

One of the primary objectives of the farm plan is to get that 50,000,000 acres back into forage crops. The adjustment contracts have been drafted with this in view. Roughly, the removal from surplus production of about 40,000,000 acres has been pledged by farmers.

The adjustments in production of the basic crops represented by this shift, with favorable effects on prices and benefit payments to cooperating farmers, have been supplemented by other measures. These include the marketing agreements and licenses for fluid-milk producers and producers of certain fruit, vegetable, canning, and nut crops.

The agreements or licenses provide improved price schedules for farmers and eliminate unfair practices in processing and distribution of farm produce. Cotton and corn loans sustained prices of these commodities, assured the advantages of price increases to producers instead of to speculators, and provided badly needed purchasing power to two great farming regions, thus stimulating general business revival.

SUGAR AND BEEF CATTLE

At the present time the administration is undertaking programs for sugar, for beef cattle in connection with drought relief, and for a large number of special crops through agreements. These are in addition to the current programs of wheat, tobacco, corn, hogs, and cotton, including administration of the Bankhead Act.

Events during the Adjustment Administration's first year have confirmed the soundness of the basic objectives of the act, though they have also brought the necessity for numerous adjustments as to method. On the experience of the first year it is now possible to determine the long-time direction which planning for agriculture is likely to take.

Adjustment properly places increased emphasis upon transition away from production of the surplus crops, where markets have been glutted with oversupply. Unless and until the United States recovers its lost export markets, the adjustments in production will have to be made. They would be made under the sheer economic compulsion of low prices in the absence of any agricultural planning. The use of benefit payments to compensate farmers for making these adjustments facilitates accomplishment of the transition without the economic disturbance and widespread individual losses and the unfavorable consequences to business and industry which would otherwise occur.

Such relief from grain surplus as is gained at the fearful cost of drought alters the A.A.A. problem in some respects, but not in others. Crop loss of this kind, concentrated in a definite area, has about it none of the fairness of adjustments which are spread equally over all farms. But it does have temporary price effects which, while they do not compensate farmers fairly for losses, do tend to induce new production.

ACREAGE AND VOLUME

The long-time relationship between acreage and volume of production is very close, despite the disparity caused by a year or two of severe crop damage. The man whose whole crop is ruined has not reduced wheat or cotton in the sense that he would have done if a proper portion of his farm had been transferred into permanent pasture. Drought has temporarily reduced the grain surplus and has reduced the immediate visible incentive to get from grain to grass. But it has affected very little the permanent need for that transition, or for agricultural planning to help bring it about.

Keeping uppermost in mind the long-time aspects of the agricultural adjustment, even while placing in action the emergency programs for cotton, wheat, corn, hogs, and tobacco, we have established in the Adjustment Administration a planning division under direction of H. R. Tolley.

This division is now working on plans for the future course of the Adjustment Administration. This course will iron out many of the crudities in the present emergency programs. The division will gather information to forearm the A.A.A. as to the outlook for agriculture, and the future objectives for assuring continuance of sound recovery.

Changes from present methods probably will involve selective distribution of lands removed from surplus production and the use of a composite contract to cover all products grown on a farm, rather than single crops. This would reduce administrative machinery and expense, and increase the total benefits available for mixed farming regions.

MARGINAL LANDS

Permanent removal of submarginal lands from crop production will be part of a long-time effort that must be made. The planning division is cooperating with the Department of the Interior and the Federal Surplus Relief Corporation in working out the details of this program. Twenty-five million dollars already has been provided to finance a beginning.

This means planning for better use and conservation of the Nation's soil resources. Submarginal lands which now are poverty farms can be gradually removed from surplus production and be put into use as forests, parks, game refuges, and preserves. Water and timber resources of the soil can be conserved. Erosion, which has been destroying the fertility of our soil just as surely and completely as it has devastated the Yellow River Valley of China, can be checked.

All these measures will contribute not only to the prosperity of agriculture and to alleviation of human distress but also to the safety and welfare of the whole country. Good soil is the ultimate foundation upon which this welfare rests. The recent dust storms have been a dramatic reminder of the peril to our soil resources to which we have been brought by long years of shameful neglect.

The ruthless policy toward agriculture which this country pursued forced the farmers into unsound crop practices, mining the soil to produce surpluses, and robbing it of precious fertility. The enlightened policy now being followed makes it possible for farmers to conserve soil resources by keeping lands out of useless cultivation of surplus crops, and by planting soil-building and erosion-preventing cover.

MANY HUMAN PROBLEMS

The Agricultural Adjustment Administration's first year has brought forth a host of human problems. Work as we would, we never have been able to move fast enough to meet the needs of agriculture. Think of the task involved in handling 3,000,000 contracts, of verifying them all and mailing out checks to the farmers. It has taken much more time than we planned, and the delay hurts the farmers when they desperately need the money. Think of the achievement of the 3,000,000 farmers in organizing the production-control associations. To hundreds of thousands of them the whole idea was new and the social experience of working with their neighbors on production problems was unprecedented.

Large numbers of cases of individual dissatisfaction have arisen, as is inevitable when millions of adjustments have to be made in a program so new. Our delays in getting out checks and the numerous administrative technicalities of it all have irritated farmers.

Then there have been numerous petty misunderstandings, bickerings, and complaints, oftentimes deliberately fomented to arouse sectional jealousies; for example, complaints from the West that the South was getting \$160,000,000 in cotton payments, from people not stopping to think that the corn-hog producers also will get a comparable sum.

We have heard agitation against the jute tax from Idaho, though the increase in shipments of Idaho potatoes to Atlanta increased from 5 cars in 1932 to 33 cars in 1933 after the cotton plow-up, and the tax on the bags was just a drop in the bucket compared to the increased demand in the more prosperous South for the Idaho potatoes that went into the bags.

OPPOSITION TO TAX

The Agricultural Adjustment Administration could have had an effective cattle-buying plan in operation weeks ago in the drought States, and strong income-insurance protection to the dairy producers there. But opposition to the processing tax, apparently in many instances inspired by the processors for obvious reasons, caused us to amend the beef-cattle plan and defer the dairy plan.

It is not the policy of the Adjustment Administration to impose any program upon any farming industry. It must be convinced that an overwhelming majority of the farmers want a program so as to insure a practicable degree of cooperation before the administration undertakes to place a program in effect.

The difficulties I mention are, in a sense, only minor when compared to the achievement of enlisting 3,000,000 farmers in a voluntary attack upon basic production problems. But the outcome will depend upon how greatly such irritations finally weigh after the new and difficult ground is broken and when balanced in true perspective against the program's substantial benefits. The farmers will determine what will be the future of the Agricultural Adjustment undertaking. Many improvements and changes will be made in the program as time goes on. But I do not think that, once they understand the fundamentals involved, farmers will give up agricultural planning for the "tooth-and-fang" individualism of the old-deal days.

"CRIME AND A REVISED NATIONAL POLICY IN EDUCATION"—ADDRESS BY SENATOR COPELAND

Mr. VANDENBERG. Mr. President, the able Senator from New York [Mr. COPELAND] delivered an important address on May 18 before the American Council on Education. He discussed the subject of Crime and a Revised National Policy in Education. It is a subject to which he has given earnest study. He has made a tremendous contribution to social service and to crime cures at the source. This address deserves to be widely read. I ask unanimous consent that Senator COPELAND's address may be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD as follows:

CRIME AND A REVISED NATIONAL POLICY IN EDUCATION

Because of the interest of your director in my work, each of you has received a copy of the digest of testimony presented before the Committee on Crime, of which I am chairman. My address to the Cleveland convention of the National Education Association on the subject of Education and Crime Prevention has been reprinted in your journal, the Educational Record. Copies of my address in the Senate on January 11 have been supplied to many of you. I assume, accordingly, that the invitation for me to speak before this group today was prompted by a desire to hear more about the educational policy I have set forth, and particularly by a desire to have me point out its relation to the work of your American council.

In essence, that policy calls for prompt and continuous readjustment of educational aims and methods as conditions and necessities change. We are in a war against ignorance and crime; battle fronts must shift as we discover the movements of the enemy.

The primary lesson gained from our senatorial investigations is that antisocial conduct looms as a greater national menace than ever before in our history. In consequence, we must develop a quality of character higher than that required by any previous social order.

I wish time served to discuss the significance of the greater freedom and range of choice that comes to each succeeding generation of young people. As I see it, the only way to equip youth for this freedom is to formulate a suitable, but not too inflexible, pattern of social habits. Then we must help them to accept and adopt standards of value which will appeal to their intelligence and influence their choice of the right behavior.

There is abundant reason for alarm today because of the fact that large numbers of professional men, with highly developed intellectual capacity, have displayed utter lack of inclination to live by the codes of ethics of their respective professions. I need not enumerate well-known examples in the persons of lawyers who have amassed wealth through aiding and abetting criminals and helping predatory interests to keep within the law. The public is informed of cases of ostensibly respectable attorneys receiving annual retainers for advice and counsel as to how to commit criminal acts with a minimum of danger of conviction. The list is so long that there has been a complete undermining of the confidence of many of our people in the ethical standards of professional men.

We ask ourselves: Upon what agency can we depend to make sure that the next generation is brought up with a more adequate sense of trusteeship than the present generation has disclosed? Is there any single agency under public control, other than the schools, to bear the responsibility of training in the qualities of citizenship essential to modern cooperative living?

You all know I ask this question without a thought or inference that the public schools have been remiss or negligent in the past. Rather, I make the question a preface to issuing a challenge to the public schools of the future.

My thinking is colored, naturally, by experience in health education. Experience in that field indicates that the greatest return for energy expended comes from our work with children—the children of tender years. If you have read the testimony at the hearings before the Committee on Crime, you will find data to support the hypothesis that the most critical years for citizenship training are the early years of the child's life in school.

During the New York hearings I was greatly distressed to hear a well-known and highly placed professor state that preceptorial instruction is useless in character education. I am well aware of the importance of example and the necessity of placing increased emphasis on developing habits which make for social effectiveness. But so long as authorities deny any place to precept in the character-training program, my old-fashioned mind insists that there is a crying need for further research in the field of better character and improved citizenship.

I have been much impressed by the inability of the motion-picture industry to find ways of interpreting and applying the results of the Payne fund researches in that field. This is too bad as I view it. Personally, it seems to me we should not be content to see research in character education halted until the movies, the public press, the radio, and all the general educational agencies are contributing, through voluntary cooperation, only that which is of positive value to the lives of our young people. Neither should we be content until such time as we find how to coordinate the efforts of all the character-building agencies—the Boy Scouts, Girl Scouts, the Big Brother movement, the 4-H clubs, and the two hundred other more or less prominent national movements, which are contributing to the prevention of juvenile delinquency, as well as to the happiness of our boys and girls. We certainly need closer cooperation with the home through the parent-teacher movement and similar agencies. I venture to suggest also that we must find some more effective means of giving force to these religious influences which are brought to bear upon the inner life of the youth.

I appeal to you for support in character education of a research program whose scientific worthwhileness, if I may use the word, will be built upon a better record system than is yet in customary use. I am not unmindful of the valuable efforts of the American Council on Education in spreading the use of the continuous-record card. I observe that Dr. Charters follows me on this program. He can be counted upon to discuss and press newer techniques which we may safely accept. I merely refer to the elementary fact that good records are basic to scientific thinking and scientific criticism. We medical practitioners took a long forward step when we adopted the practice of keeping complete records of the condition and progress of every patient. My emphasis on the use of continuous behavior records is due to the conviction that without them children will not be dealt with properly, no matter how competent the teachers may be. In the modern scientific sense a child cannot be understood in the absence of a behavior record kept from early childhood. Without it the diagnosis of the teacher is founded on nothing more substantial than an expression of interest, affection, or a mere "hunch." In this, I am merely supporting the admonition of Professor Morrison, of Chicago, when he entreated teachers to "learn" their children before trying to "teach" them.

May I venture to urge also the responsibility resting on you in relation to the character of the graduates from your colleges and universities? We all know that professional degrees are granted in large number without any genuine examination into the moral character of the men receiving these degrees. So far as I know, never before has a nationally representative body, like this council, fairly faced the implications of the fact that a degree or other credential from an educational institution at the present time certifies only to scholarship and technical competency. Only a

national crisis like this could give force to the question, Do we not owe it to society and to our Nation to see to it that no one receives a credential and the implied endorsement of one of our institutions unless he has established a behavior record to justify its receipt? The granting of a degree should represent a vote of complete confidence in the character, sense of service, and public spirit of the recipient. It is my belief, as you know, that there should be a review and a restatement of the objectives of education. In my opinion, too, these times demand of every institution that it check objectives to see that qualities of citizenship and character have an adequate place in plan and practice.

You are far more competent than I to decide how much attention should be given the character status of your entering students, the observation of their behavior while they are with you, and the guidance and treatment essential to developing the best capabilities of each of your undergraduates. My purpose in coming here today is to ask, in all respect, that you reflect upon your objectives and practices in dealing with these responsibilities. Particularly, I ask that you consider how your policies fit in with the sound national policy which demands looking toward training in citizenship and a sense of social responsibility throughout the educational career of every youth.

You won't mind my saying that you will not have adjusted your policy completely until we have a new deal in education. We shall not be contributing to that quality of citizenship to which I have referred until the fundamentals of American education are set up in terms other than the "three R's" and school-book content. The practice of the past in focusing upon subject matter needs no defense. A century ago the need of the times was for a higher level of literacy. Just as clearly today the need of the times is for a higher level of character.

In this company, such a statement is a platitude. But we shall not have a revised policy recorded as the settled will of the American people, and we shall not be fully free to act upon such a policy, until the boards of education of every school district of this land and the majority of the people of these United States have come to understand and accept our standard. I have come here to ask your collaboration in a drive to win universal acceptance of the idea that citizenship, rather than the "three R's", should be regarded as the foundation of American education.

You are turning out each year hundreds of thousands of men and women who will be largely responsible for forming the public opinion of the next generation. We must depend upon you that, through your faculty and students, this educational policy shall be established if it is deemed worthy of general acceptance.

There can be no doubt that training received during the tender years has a basic influence upon character. It follows, then, that the hope of recruiting into your student body boys and girls of well-matured personality, depends upon your success in extending character training throughout the public-school system. To this end, you must exert the same sort of leadership in character education that traditionally you have exercised in the field of content and scholarship.

Such leadership must be founded on patient study of the problem. It involves a determination of the quality and range of technique appropriate for each age group. You will guide and train dynamic leaders and supervisors to construct adequate citizenship programs and to administer them effectively. You will train a new generation of teachers prepared according to new specifications. The new teacher-training program will center upon the practices and perhaps the insight, through which teachers will learn to know their pupils as human beings, rather than upon subject matter through which students may achieve high scholarship. The new teacher will come to understand how to use the methods which specialists have developed through the child-study clinics. When this system is perfected and in use, we can afford to be reconciled to some sacrifice in mastery of intellectual content and of acquaintance with historic educational methods.

You will appreciate the success with which you have trained these teachers and the success with which you have built up public opinion to support them, when a new generation of youth, trained by the new teachers, offers itself for admission to the higher educational institutions. If you have succeeded, applicants for matriculation will meet the high standards which you will then set for character, as fully as they meet the high standards which you now set for scholarship.

I should be truly sorry if the teaching profession should decide to continue the old objectives of scholarship which have a minimum concern for the moral, ethical, and social training of the student. In achieving the new program you will have the double task of turning out graduates of high character, as well as of high achievement in scholarship and technical competency, but the results will be well worth the price.

By this time you may be asking yourself the question: "What is the most promising beginning of a new deal in education?" Reflection upon this question calls for an expansion of my earlier addresses in which I argued for research and the establishment of spearhead demonstration centers. I feel confident of a sympathetic understanding of my suggestions in this field, because I know of the emphasis that the council has placed upon research in the past. Dr. C. R. Mann, your director, and the editors of the Education Record have been diligent in seeking out and reporting important experiments and researches.

I am appealing for your collaboration with the Education and Law Conference associated with my committee, in all those projects designed to improve the technique of citizenship training and promote the acceptance of this technique by all our schools.

The statement cannot be too often repeated, that there is a critical need for expansion of knowledge in this field and for adoption of higher standards of quality in citizenship training.

My attention has recently been called to a bulletin of the Office of Education, No. 11, published in 1931, entitled "Educating All the Children of All the People." Many, if not all of you, have this publication in your files. This bulletin describes an interesting experiment of the Granite Consolidated School District of Utah, an experiment designed to achieve unusually broad objectives. In its preface, outlining these objectives, the bulletin states that "Education, in the large sense, includes the duty of following up every child to the age of 18, for 365 days of the year, in and out of the classroom, with the aim of helping him develop his capacities to their greatest usefulness."

I ask you to review this bulletin and to reflect upon the effect of achieving, on a national scale, the objectives which are stated therein. If we accounted effectively for every boy and girl up to the eighteenth year, as they undertake to do in Granite district, the evidence seems to indicate that we would cut our crime bill at least in half. What is more important, we would, through guidance, greatly multiply the happiness and usefulness of large numbers of youngsters now maladjusted. Obviously, this program calls for an extensive coordination of efforts in the community. It assumes a broadened administrative policy, as well as a pupil-centered program in guidance and teaching. Such a demonstration deserves national recognition and the support of the best technical advice available, to insure the achievement of its fullest national values.

It has been your policy in the American Council to give encouragement to such projects by extending recognition to them. Last year's program was devoted to such encouragement of four great demonstrations in as many States. I am advised you thus recognized the Nebraska experiment in individualized instruction. As I understand it, it is in the same general field as the Winetka experiment and the experiments with the Dalton plan. All of these are in a field of experimentation which leads us toward a pupil-centered, rather than a content-centered, education.

The question I raise is, Would these demonstrations be benefited by receiving added recognition at this time? Should we of the education and law conference collaborate with you in the encouragement of these fertile experiments? Have you set a precedent which we, with others, should follow, in your appointment of a joint advisory committee for Dr. Ballou's project?

Dr. Ballou and Dr. Charters, who will follow me, are far more competent than I to discuss the technique for the conduct of such spearhead experiments. I must run the risk of anticipating their addresses by saying that the theory of the spearhead attack involves the abandonment of "panaceas" in education. It assumes that a good educational job involves putting to work all the good ideas, good techniques, and information known to the education profession. It assumes a plan of attack which begins by fully modernizing the instruction program in a few centers, taking them on, if necessary, one at a time.

Further, while we are learning to do a quality job in each center, we must learn how to adapt the procedures learned in that center, to other schools and other persons all the way across the land. We must do this, moreover, by methods which fall within the available financial and human resources of the average community. I am aware that hundreds who have been convinced of the merits of the Winetka and Dalton programs have adopted these plans, only to fail in practice through a lack of information as to the detailed steps necessary to the transition. For myself, I am entirely willing, and I am sure this will be a relief to those who have suffered my preachments, to do everything possible to aid a plan of initiating, one at a time, growing centers of pupil-centered programs. These should adequately express a new deal in education, both in breadth of objectives and in techniques employed.

To summarize, let me say, the present national emergency demands that you, as leaders of American education, shall do something now about citizenship training. I invite your attention to what I regard as the two major considerations:

First. Let us restate our national policy in terms of personnel objectives and win popular support for our plan. We seek a dynamic policy which shall bring about continuous progress.

Second. Let us achieve in practice a new deal in education. My associates in the technical committee of the education and law conference are organizing and assisting in spearhead demonstrations of the new deal.

We are proud of the past evolution of our American schools, in which you have played a distinguished part. I would join with you in volunteer and unofficial efforts to further a continuous and a more rapid evolution.

THE STRIKE CRISIS—ARTICLE BY SENATOR WALSH

Mr. MURPHY. Mr. President, in the New York Times of yesterday appeared an interesting article written by the senior Senator from Massachusetts [Mr. WALSH], Chairman of the Senate Committee on Education and Labor, entitled "To Combat the Strike Crisis, WALSH Urges the Wagner Bill." I ask unanimous consent that the article may be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Sunday, June 3, 1934]

TO COMBAT THE STRIKE CRISIS, WALSH URGES THE WAGNER BILL—THE MASSACHUSETTS SENATOR SAYS THE MEASURE, WHILE DEFINING UNFAIR PRACTICES, WOULD LEAVE EMPLOYERS AND EMPLOYEES FREE (By DAVID I. WALSH, Chairman of the Senate Committee on Education and Labor)

A rising tide of labor unrest is plainly manifest. Strikes and threats of strikes are increasing in number and magnitude. We are witnessing riots and bloodshed and many fear we may witness more. Indeed, signs on the horizon seem to point to more strikes rather than less during the coming months. Industrial peace—an indispensable element of industrial recovery—is in serious jeopardy.

Whence come these labor difficulties? What are their causes? Can the causes be eliminated? And if that be impossible, how ought the resulting situation be dealt with? These paramount questions admit of no short and easy answer.

The causes of labor disputes are various, and some of them are inherent in a society where men are free to work or not, according to their will, and employers are free to employ whom they will. And I am moved to add that America wants no other sort of society.

THE RIGHT TO STRIKE

Labor, with a capital "L", regards the right to strike as one that cannot be alienated and of which it cannot be deprived except in circumstances where public safety is jeopardized. The public necessity of the operation of our railroads as paramount to the right of rail employees to strike has been upheld by our courts. Strikes by these employees and by public employees are exceptions to the rule. As matters stand today it is neither lawfully possible, nor, in my judgment, socially expedient to attempt under the guise of public necessity and public safety to outlaw all strikes by legislative fiat.

If we accept the foregoing premise, then it is obvious that we cannot by statute make arbitration of all labor disputes mandatory, for compulsory arbitration, if it is to be effective, must carry with it compulsory obedience, and that destroys the right to strike.

Disputes between employer and employee resulting in strikes and lockouts have been said to be a usual accompaniment of a period of increasing production and rising prices. That has been the record in the past. Labor disputes at the height of a boom or at the bottom of a depression have been less common. At the bottom, the worker has been willing to work on any terms. At the top the employer has been willing to employ on any terms. These are broad generalizations, but sufficient for the present discussion.

INACCURATE DIAGNOSIS

The present labor unrest and the rising tide of strikes are being pointed to as indubitable proof that industrial recovery is in progress, and as a usual and indispensable concomitant of recovery. This seems to me to be a superficial and inaccurate diagnosis.

There is a highly important and significant distinction between the predominating causes of the present labor troubles and those in prior periods of labor unrest. Wages and hours of labor have been the predominating causes of a majority of our strikes and lockouts in the past. Wages and hours of labor are not the predominating causes today.

The more prolific and the more deep-seated cause of the present strikes and threats of strike is with respect to the right of collective bargaining and the efforts of labor to organize and to be organized. It is important to keep in mind that prior to the passage of the National Industrial Recovery Act only a small percentage of industrial laborers were members of labor unions. Certain large industries were highly organized. There have been few strikes, if any, in these industries. But taking on the one hand the total number of the men and women employed in industry, or potentially to be employed in industry, and on the other hand the total roster of all of the trade unions affiliated with national labor organizations, it is apparent that by a large majority labor was nonunion.

SECTION 7A

Congress, in setting up a new deal for industry in N.R.A., likewise provided a new deal for labor. No section of the recovery act was more intensely disputed than section 7a, both in the framing of the bill and in its subsequent operation. Section 7a provided "that employees shall have the right to organize and bargain collectively through representatives of their own choosing, and shall be free from the interference, restraint, or coercion of employers of labor or their agents in the designation of such representatives or in self-organization or in other concerted activities for the purpose of collective bargaining or other mutual aid or protection." That is not all of section 7a, but it is the crux of it.

Collective bargaining presupposes some kind of organization of employees. Existing national labor organizations quite naturally sought to organize employees and to bring them within their folds. Labor organizations independent of the American Federation of Labor, in some plants and in some industries sought to preempt the field for themselves. Such employers as viewed with reluctance, if not with hostility, the organization of their employees into the regular trade union sought covertly or openly to discourage such organization or to encourage the maintenance or formation of the employees-representation plan, usually, but not always accurately, described as the "company union."

This drive for the spread of employees' organizations as a vehicle of collective bargaining is, in my opinion, at the root of a great deal of our present labor troubles. It was largely inevitable. The relations between employer and employee are in a transition stage. Many employers are resisting the onrush of the closed shop. Some of them openly declare that they will never under any circumstances bargain collectively with a labor union.

READJUSTMENTS AHEAD

Congress has laid down the principle of a collective bargaining. That principle, in my judgment, is here to stay, irrespective of the future or the permanence of the N.R.A. That means that we are in for a long period, and how long no man can say, of readjustments of the relationships between the employer and the employee. And these readjustments are bound to be attended by disputes and by strikes. I see no escape from it.

The best that we can hope for is for some degree of reasonable restraint and tolerance and fairness on both sides, and, as far as the Government itself is concerned, for the setting up of such appropriate agencies for conciliation and mediation, for voluntary arbitration and for the enforcement of fair play as may be possible and feasible under our form of government.

Neither the present National Labor Board nor the proposed National Industrial Adjustment Board can be an enforcer of industrial peace. It cannot settle strikes. It can harmonize and it can conciliate, but if the two sides insist on fighting, it can be little more than an umpire, little more than a referee who shall insist that both sides observe the rules of the game, with authority to call a foul or to disqualify if the rules are violated. And the rules are the unfair labor practices which it is proposed to define by statute.

The National Labor Board, created last year by Presidential Executive order and headed by Senator ROBERT F. WAGNER, of New York, has valiantly attempted to compose labor disputes, to interpret the collective-bargaining provision of the N.R.A., and to ascertain and inhibit unfair labor practices. The jurisdiction of this Board and its authority have been challenged in various instances, and there has been very general recognition of the desirability, if not, indeed, the necessity, of some statutory enactment defining the Board's powers and procedure if it is to be an effective and permanent instrumentality for the adjustment of labor disputes.

THE WAGNER BILL

It was the apparent need for legislation along this line which was the genesis of the Wagner labor disputes bill, introduced in Congress early in the present session. This bill, in the form introduced, provoked a vast deal of controversy, and the subject was fully aired in extensive hearings before the Senate Committee on Education and Labor.

The committee has now favorably reported to the Senate a substitute bill which it is proposed to entitle the "National Industrial Adjustment Act" and which proposes to create a national industrial adjustment board to supersede the present National Labor Board. The substitute bill seeks to meet many of the objections raised to the original bill, objections which in the judgment of our committee appeared to have considerable validity.

Nothing in the bill allows the National Adjustment Board or any other branch or agency of the Government to fix wages, to regulate rates of pay, to limit hours of work, or to affect or govern sanitary or similar working conditions in any establishment or place of employment. In such matters the Board (like any non-governmental group of persons) is available for voluntary arbitration if, and only if, all the parties invoke its aid.

As now drafted, the bill does not apply to domestic servants or agricultural laborers. It does not affect establishments in which less than 10 persons are employed, and it does not relate to individuals employed by their parents or spouses.

There is nothing in the bill which requires any employee to join any form of labor organization or any employees in any industry to form a labor organization. If employees choose to organize, nothing in the bill will prevent them from organizing a shop committee or a union for a particular plant or company, free and independent of any national or international organization as well as of any employer.

In cases in which employees choose to belong to an organization there is nothing in the bill to compel an employer to make a closed-shop agreement with that organization or to consent to a deduction of pay to meet the dues of that organization (that is, the check-off). These matters are left to the parties to settle by the orderly process of collective bargaining, and free from suggestion, much less direction, from the Government.

LOCAL MACHINERY

There is nothing in the bill which makes it impossible for grievances or disputes to be settled locally or through the aid of appropriate machinery in the several States; and every effort has been made to avoid the embarrassment and inconvenience to both employers and employees of being called to settle in Washington a dispute which might be adjusted locally.

The Board is not going to be empowered to settle all labor grievances. The quasi-judicial power of the board is restricted to four unfair labor practices and to cases in which the choice of representatives is doubtful, and even the Board's compulsory action is limited to cases that have led or threaten to lead to labor disputes that might effect commerce or obstruct the free flow of commerce. Employers and employees engaging in a local or intrastate business are not within the jurisdiction of this bill.

The Board is not given any unusual powers to hear evidence, summon witnesses, or require testimony. Every power granted to

the Board with respect to the taking of testimony, summoning of witnesses, and like matters, is duplicated in at least a majority, if not all, of the Federal administrative tribunals, such as the Federal Trade Commission, the Interstate Commerce Commission, the United States Employees' Compensation Commission, and the proposed communications commission.

The bill is designed primarily to clarify rather than to extend the existing law governing relations between employers and employees and to provide for a means of enforcement. Briefly stated, the measure defines merely those acts by an employer that interfere with the right of employees to engage in collective bargaining.

ORDERLY HEARINGS

A second important objective is to establish some orderly method by which cases involving supposed violations of the law may be heard. At the present time there exist many different Federal (not to mention State) agencies that deal with labor questions. The Department of Labor has a conciliation service; the National Recovery Administration has a compliance board; the National Labor Board, set up by Executive order, exists in Washington and 20 regional boards have been established throughout the country subordinate to that National Labor Board; and recently the N.R.A. has been establishing in various industries industrial boards.

It is important that these agencies should not be multiplied, lest parties fail to know either the proper tribunal to which to resort or the proper construction of law to follow. Three essentials of justice are that it shall be administered promptly, clearly, and with finality. By establishing a quasi-judicial board this bill definitely establishes the agency that shall give the final administrative interpretation of the law. Of course, court review remains available, as it always does under our system of Government.

Another important aspect of the bill, as amended, is the emphasis it places on the strictly judicial aspect of the work of the Board. It is not primarily a prosecuting agency to ferret out offenders. So far as possible all disputes will continue to be adjusted by conciliatory methods, such as those used in the Division of Conciliation of the Department of Labor. When a case cannot be adjusted because of the continuance of unfair labor practice or because of disputes over representation, it can be referred to the National Industrial Adjustment Board, which can then judicially consider it. This makes two things plain: First, the Board is to enforce the law as written by Congress; and, second, the Board acts only when enforcement is necessary and adjustment has failed.

UNFAIR PRACTICES

The bill declares that it shall be an unfair labor practice (the conduct of an employer that abridges his employees' rights) "for an employer to attempt, by interference or coercion, to impair the exercise by employees of the right to form or join labor organizations, to designate representatives of their own choosing, and to engage in concerted activities for the purpose of collective bargaining or other mutual aid or protection."

It shall be an unfair labor practice "for an employer to interfere with or dominate the administration of any labor organization or contribute financial support to it", with a proviso that employees may be permitted to carry on negotiations with one another or their employers on company time—that is, during working hours—without loss of pay.

It shall be an unfair labor practice "for an employer, by discrimination in regard to hire or tenure of employment or any term or condition of employment, or by contract or agreement, to encourage or discourage membership in any labor organization." A proviso permits the closed shop, that is, labor-union membership as a requirement of employment, when employer and employee so agree; but "nothing in this proviso shall be construed by the Board to indicate that any employer is bound to enter into an agreement conditioning employment upon membership in any labor organization."

The National Industrial Adjustment Board may ascertain and determine whether such an unfair labor practice is being indulged in, and, if the decision is in the affirmative, may make application to the courts for an appropriate restraining order.

EMPLOYEE REPRESENTATIVES

The Board has another important function. When a dispute arises, as is now so frequent, as to who are the representatives of the employees with whom the employer is required to deal for the purpose of collective bargaining, the Board may undertake to determine this question and to certify to the employer the names of individuals or labor organizations that have been designated and authorized to represent employees by not less than a majority.

This new bill doubtless will have critics who will complain that it does not go far enough and that it will not insure industrial peace. It will be for the Congress and the country to say whether half a loaf is preferred to no bread. The whole loaf, namely, the creation of a governmental instrumentality which would be able to insure and guarantee and enforce industrial peace by outlawing all strikes and by arbitrary determination of every sort and kind of labor dispute, is the dream of the idealist but utterly impossible of actual attainment under a democratic form of government. Neither employers nor employees are willing to accept the principle of involuntary arbitration. No employee can be compelled to render labor or service, and the employer has corresponding rights that are inalienable.

RECIPROCAL-TARIFF AGREEMENTS

The Senate resumed the consideration of the bill (H.R. 8687) to amend the Tariff Act of 1930.

Mr. GORE obtained the floor.

(Several matters of routine business were presented, which appear under the appropriate headings.)

Mr. GORE. Mr. President, I was wondering whether these routine matters could not be presented later in the day when we are not speaking under such a rigorous time limitation?

Mr. BARKLEY. Mr. President, I desire to propound a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. BARKLEY. Does the unanimous-consent agreement entered into last Friday supersede the one which we were operating under prior thereto?

The VICE PRESIDENT. It does until 12 o'clock today.

Mr. BARKLEY. Does it take the place of the limitation of 1 hour under which we were previously operating?

The VICE PRESIDENT. It does so.

Mr. BARKLEY. So that any Senator who gets the floor may occupy it until 12 o'clock, when the later limitation comes into effect?

The VICE PRESIDENT. The Chair has not examined the unanimous consent agreement, but it was the impression of the Chair at the time it was made—the Chair thinks it is in writing—that there were to be 2 hours general debate from 10 o'clock until 12 o'clock, at which time the Senate was to vote upon what is known as the "Johnson amendment" and other agricultural amendments, and that the Senate was to consider other amendments after that under a 10-minute limitation. If the Chair is not interpreting the agreement properly, he hopes that some Senator will call his attention to it.

Mr. BARKLEY. In other words, during the 2 hours until 12 o'clock the hour's limitation on the agricultural amendments under which we were operating last week does not apply?

The VICE PRESIDENT. That is the interpretation which the Chair places upon the agreement.

Mr. JOHNSON. Mr. President—

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from California?

Mr. GORE. I am afraid we are going to waste the 2 hours in trying to find out what is meant by the unanimous consent agreement.

Mr. JOHNSON. Mr. President—

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from California?

Mr. GORE. I yield.

Mr. JOHNSON. I will take just an instant. It is unfortunate, Mr. President, if the 2 hours that are given to this debate are to be taken wholly by one side. Not only is it unfortunate, sir, but it is unfair. If there is any way in which, under our parliamentary rules, the time may be apportioned, I think it ought to be done in fairness.

I suggest to the Senator from Kentucky [Mr. BARKLEY], who, I understand, desires to be heard upon the subject matter, and to the Senator from Oklahoma [Mr. GORE], who has recognition at the present time, that there ought to be some arrangement by which all the time under the unanimous-consent agreement shall not be utilized by the one side. Personally, I am rather indifferent. I should like 10 minutes at some time on the amendment, because it is mine, in order that I may close the debate, if it be possible. If it is not, we can eliminate that element.

But there are others as well who want to be heard. After we have agreed to the unanimous-consent plan and after we have proceeded to cooperate with the other side of the Chamber in the passage of the bill or in its determination today, it ought not to be that the period of 2 hours only should be utilized by the one side and no part of it given to the other side.

The VICE PRESIDENT. Will the Senator from Oklahoma permit the Chair to make a statement?

Mr. GORE. Certainly.

The VICE PRESIDENT. The Chair had a request last Friday from the Senator from Oklahoma [Mr. GORE] to be recognized. He had a similar request from the Senator from Missouri [Mr. CLARK], and likewise from the Senator from Kentucky [Mr. BARKLEY], he being a member of the committee. This morning the Senator from Idaho [Mr. BORAH] came to the Chair and requested to be put on the list of those to be recognized.

The Chair thought he should make that statement so that Senators occupying or taking the floor may take note if they desire to shorten their remarks.

Mr. JOHNSON. Mr. President, may I suggest that at the conclusion of the remarks of the Senator from Oklahoma, which I assume will not occupy the 2 hours, the Senator from Idaho [Mr. BORAH] might be recognized to proceed?

The VICE PRESIDENT. The Senator from Oklahoma has the floor.

Mr. JOHNSON. Mr. President, I asked the question in the best of faith in the hope that we might in some manner determine the situation. Is there any objection to that mode of procedure?

Mr. GORE. Mr. President, as we are operating under a time limit and as other Senators desire to be heard, I shall try to abbreviate my remarks.

The pending measure does two things. It empowers the President to enter into trade treaties or agreements without submitting those agreements to the Senate for ratification. It also empowers the President to raise or reduce existing tariff duties as much as 50 percent. The measure gives rise to two sets of most interesting questions, one of them constitutional in character, the other economic. I shall address myself for the most part to the economic phases of the subject.

Mr. President, the object of the measure is to revive and promote our international trade. With that object I am in most hearty accord. As to the means proposed for effectuating that end, I find a question mark in my mind. But, Mr. President, there is no question mark in my mind as to the desirability of reviving and promoting our foreign commerce. There is no doubt in my mind as to the necessity of reviving our foreign commerce in order to facilitate recovery and in order to restore prosperity. I have often said and I now repeat that we must trade our way out of this trouble. There is no other way out. I may say if that be not the only way it certainly is the best way, and no other plan, no other scheme or schemes, will succeed without it.

We cannot tax our way out of this trouble. We have tried to balance the Budget. We have heaped taxes upon taxes like Pelion upon Ossa. I have more faith in trade than I have in taxes.

We cannot borrow our way out of debt or out of this depression. We have borrowed billions upon billions. We have added ten billions to our public debt and we will add half as many more. Trading will go further than borrowing.

We cannot spend our way out of hard times. In 1860 the total cost of our National Government was only \$60,000,000 a year. In January this year we expended more than \$30,000,000 a day. One Senator has estimated that in January more than 50,000,000 people were directly or indirectly eating out of the Public Treasury. That means eating out of the taxpayers' pocketbooks. That cannot go on. That cannot last. I have more faith in trading than I have in spending or lending.

Mr. President, we cannot end want by destroying wealth.

We cannot, by destroying wealth, either escape poverty or restore prosperity. We can enhance values by destroying wealth. We could destroy half of a given commodity and more than double the value of the remaining half. But we cannot feed the hungry with a decimal point or clothe the naked with dollar marks. Mr. President, until every hungry mouth is fed, until every naked back is clothed, I cannot commit myself unreservedly to a program of destruction, to a program of scarcity, even though the A.A.A. be reinforced by the drought, be aided and abetted by the drought.

I think that even the farmers must hope that this policy of experiment and expedient must be a policy of the passing hour.

Mr. President, I am reminded of the sentiments of a farmer's wife, expressed in the Saturday Evening Post. She said that she wondered how many of those who were so gaily destroying the pigs of the country had spent zero nights in the farrowing shed trying to nurse the baby pigs into life. She wondered how many of them had milked the cows in the barnyard with nothing but a barbed-wire fence between them and the winter's blast. She said that when she looked into the faces of her children and looked into the face of the future it was little wonder that a few teardrops should fall into the dishwater.

Mr. President, these experiments and expedients may have done much; they may do more; but, sir, much remains to be conquered still.

I know there is one school of thought which attaches greater faith to monetary legislation, to monetary reforms, to inflation or deflation, to an increase of the currency, than to an increase of commerce. For my part, I put more faith in the increase of commerce, because, whether the dollar be big or little, the unemployed must have some way to get his hands on the dollar. He can do that if we revive commerce, which means the revival of business, which means the revival of employment.

Mr. President, I know there are those who think that domestic commerce is a blessing, that foreign commerce is a curse. I believe that both are blessings. They are the two parts of one whole. There are those who think that we ought to encourage domestic industry, but that we ought to discourage foreign commerce. Such efforts defeat each other. Neither should be injured. Both are essential to recovery. Both are indispensable to prosperity.

Mr. President, what is trade? Trade is little more than barter; barter is little less than trade; but trade, like barter, is the process by which two men get what both men want, each parting with what he does not need, and both profiting by what neither loses. The blessings of trade are reciprocal. Its benefits are mutual—as the darkey would say, "Mutual on both sides."

Mr. President, if I may be pardoned a personal reference, I am the more committed to trade because the platform on which I was last elected contained but six words:

Less taxes, more trade, no trusts.

Six words and three promises. I have tried to keep those promises in good faith. I still think they point the way out. Less taxes would lighten our burdens. More trade would increase our strength, the equivalent of reducing our burden. Let me say in passing that we are often reminded of the forgotten man. If I were called upon to identify the forgotten man, I should point out the taxpayer. I sometimes feel, I sometimes fear, that he is the forsaken man, bleeding at every pore.

When the first club-footed savage who could neither fish nor fight turned his hand to making arrowheads and exchanged them for fish and furs, trade was under way. He was both a manufacturer and a merchant.

Someone has said that when the first cave man took a quarter of a dinosaur on his back and trekked across the veldt and exchanged it for the hide of a saber-toothed tiger intertribal trade, international trade was born then and there. I might add that all the argosies of all the ages were implicit in that simple transaction.

When we look back through the centuries, if we may take a leaf or learn a lesson from history, we see that the great trading nations as a rule have led in point of wealth, progress, prosperity, and civilization. That is true from the Phoenicians, the Carthaginians, and the Athenians, who, I might say, shine like bright particular stars in the dusk of antiquity; and, to pursue the figure, the morning star which marked the end of the Dark Ages was the rise of the Hanseatic League in the north and the trading Republics of Italy in the south. They covered the known seas with their sails, and with the caravans of the east they carried commerce from the rising to the setting sun.

In 1453 Constantinople was captured by the Turks. That divided the trade between the east and the west; it destroyed the trade of the ages, and the sun of the Italian States set at high noon. So great was the trading instinct, the trading urge, that within 50 years from the fall of Constantinople Columbus had discovered America, and Vasco de Gama had doubled the Cape of Good Hope and had anchored his ships in the ports of India.

The mariner's compass had conquered the seven seas. Then rose a succession of great commercial States—Portugal, Spain, Holland—but as their trade declined their glory departed.

The two great trading countries of modern times have been the United States and the United Kingdom. The United Kingdom has led in point of imports; the United States in point of exports. Last year—last year, for the first time since the outbreak of the World War—Great Britain led the United States in the value of exports. Last year the United States took second place in respect of exports.

World trade has, of course, suffered a terrific crash since the panic of 1929. During that year the aggregated imports of all countries amounted to more than thirty-five billions. Last year they sank below twelve billions. Foreign commerce, in point of volume, has shrunk 50 percent. In point of value it has shrunk 66½ percent.

Great as has been the shrinkage of world commerce, our own commerce has shrunk even more. Last year our foreign commerce, measured in terms of gold, was 75 percent less than it was in 1929. In 1933 world commerce was 13 percent less than in 1932, notwithstanding all our signs and proofs of improvement; but our own commerce in 1933, measured in terms of gold, was 19 percent less than it was in 1932. That does not reflect progress. Our commerce last year, including imports and exports, was three and a half billion dollars less than it was in 1929.

That brings me to this point:

There are those who insist that it is domestic commerce that counts, and that foreign commerce is of no concern. They say that our foreign commerce is only 10 percent of our domestic commerce, and they say that with an air of mathematical certainty and finality, as if it ended the discussion. They seem to inquire, "Why trifle with trifles?"

Mr. President, averages have their proper place in statistics, but they sometimes conceal the truth instead of revealing it. Let me illustrate:

Henry Ford and I, taken together, have an aggregate wealth of \$1,000,000,000. We have, on the average, a half billion dollars apiece. That average is mathematically exact. The only trouble is, he has all of the billion, and I have all of nothing. You see my point.

Now, let us look through this glittering generalization about 10 percent and see what are the cold and naked facts back of that generalization.

Take the Cotton Belt, so ably represented by my friend from South Carolina [Mr. SMITH]. We have 10 or 12 States engaged in producing cotton. At times they have grown 66 percent of all the cotton grown upon the globe. Cotton constitutes more than one-fifth of all our exports. Their economic structure, their economic life, is built upon that staple. Their prosperity is bound up in cotton. They export more than one-half of all their cotton. They export from 55 to 60 percent of all the cotton they grow. Their prosperity depends upon a foreign market for their surplus. The prosperity of the industrial States of the North is bound up in the prosperity of the cotton States of the South.

Those Northern States must find an outlet for their manufactured goods in the markets of the South; and, in turn, that means that their prosperity depends upon foreign markets for cotton. The North and the South have a common interest in a foreign market for six or seven million bales. From 1929 to 1933 the value of our raw cotton exported shrank 48 percent and cotton manufactures shrank 71 percent.

Take the Corn Belt: Our farmers sell their corn not on the cob but on the hoof. We export 40 percent of all our packing-house lard, more than 600,000,000 pounds a year.

The prosperity of the Corn Belt is bound up in foreign markets for their surplus pork and lard. The value of our lard exports between 1929 and 1933 shrank 68 percent.

The industrial States of the East must find an outlet for their goods in the markets of the West, and they are as much concerned in foreign markets for surplus pork and lard as are the farmers of the Corn Belt themselves. The North and the South have a joint and several interest in foreign markets for our surplus pork and lard.

Germany has recently raised her tariff on lard from 65 cents a hundred pounds to \$18 a hundred pounds—\$18 a hundred pounds! Apparently they believe in protection, and they evidently intend that their tariff duties shall at least cover the difference between the costs of production at home and abroad.

The prosperity of the Wheat Belt is bound up in wheat. The prosperity of the Wheat Belt depends upon foreign markets for our surplus wheat. We used to export in the form of wheat or flour 25 percent of our entire production of wheat. Our exports of wheat have declined 90 percent. For days and weeks and months past our exports of wheat have amounted to zero.

I checked the market letters, and for week after week we exported not a single bushel of wheat. Is it any wonder that our wheat farmers are distressed? The Eastern States must find a market in the western wheat States for a part of their goods. They are therefore as dependent upon foreign markets as are the wheat farmers themselves. The interests of the East and the West in foreign markets are inseparable, are identical.

Why has wheat declined so much? I digress for a moment to state what I believe affords a contributing cause. In the early and middle twenties the Canadian wheat farmers organized wheat pools. Our farmers organized cooperative movements of a similar sort. The Canadian wheat farmers proclaimed to the world that through their pools they intended to fix the price and to peg the price of wheat at \$2 a bushel. What happened in the wheat-producing countries? They took the Canadian farmers seriously. Canada, Australia, the Argentine, and even the United States, increased their wheat acreage, increased their output of wheat, desired to get in on the \$2-a-bushel price, desired to reap a share of this golden harvest.

But what happened in the wheat-importing countries? They took or mistook the Canadian promise as a threat. They thought that if they had to buy their bread at the rate of \$2 a bushel for wheat they would better raise their own wheat at home instead of buying their bread abroad. They increased their acreage. They increased their output, they plugged the market, and the wheat farmers of the world can bear witness to the tragic result.

Were not both those reactions perfectly natural? Were they not the very things to be expected? Perhaps it was an unforeseen effect; perhaps it was an unplanned by-product of planned economy.

Mr. President, that is one reason why I have so little faith in artificial contrivances to deal with economic facts and with economic forces. They—

Gang aft a-gley;
And leave us naught but grief and pain
For promised joy.

I speak of those movements with perfect candor because I am more anxious to serve the farmers than to please them, although I am anxious to do both.

Take the tobacco States. They export 40 percent of their tobacco products. Their prosperity depends upon foreign markets for their surplus tobacco, and the industrial States in other quarters of the country, which must find an outlet in the markets of the tobacco States, are equally dependent for their prosperity upon foreign markets for tobacco. When you reduce our foreign markets for tobacco you reduce the home market in our tobacco States for our domestic manufactures. From 1929 to 1933 the value of our tobacco exports shriveled 43 percent. Shall I say 43 percent went up in smoke?

Mr. President, this is not a farm problem alone. It concerns the laborer as well as the farmer. In good times two and a half million families among our wage earners owe their employment and their living to foreign commerce. One million men are out of employment today who in better times earned their daily bread in connection with foreign commerce. This problem concerns industry as well as agriculture. It concerns our great industries which sell a surplus abroad, and it likewise concerns our great industries which sell no surplus abroad, but which depend upon domestic markets, which, in turn, depend upon foreign markets.

In 1929 we exported more than \$541,000,000 worth of automobiles. In 1933 that amount had shrunk to \$90,630,000 worth, or 83 percent. Our automobiles must find foreign markets if their manufacturers are to prosper.

In 1929 we exported more than \$560,000,000 worth of petroleum and its products. That has shrunk in value to \$200,000,000, or 64 percent. The petroleum business, the third largest in the country, depends, like agriculture, upon foreign markets for its prosperity.

In 1929 we exported more than \$606,000,000 worth of machinery. In 1933 it dropped to \$132,528,000. In 1930, a bad year in itself, we exported \$516,000,000 worth of machinery, more than a half billion dollars' worth of machinery. For the first time in a hundred years cotton took second place on our list of exports; machinery took first place. That fact has ominous implications. There needs no Daniel come to judgment to read the mystic legend or to teach us the portentous lesson.

Carlyle said that "gunpowder made all men the same height." May not automatic machinery, may not improved machinery, make all men equal in economic stature? If it does, may we not today be facing a social and an industrial revolution that is fundamental alike in its character and in its consequences? I do not like to contemplate it; I would like to avert it.

Mr. President, let me give these significant statistics. In 1921, a bad year, our exports of crude foodstuffs amounted to \$673,000,000. Eight years later, in 1929, the peak of the boom, our exports of crude foodstuffs had shrunk to \$270,000,000, a shrinkage of 60 percent during that period of real or phosphorescent prosperity.

In 1933 our exports of crude foodstuffs had shrunk to \$48,000,000, only one-fourteenth of our exports in 1921. Does anyone wonder why our farmers are distressed?

Let me point out the comparison. From 1921 to 1933 our exports of semimanufactured products shrank 42 percent. Our exports of finished products shrank 62 percent. Our exports of crude foodstuffs shrank 93 percent.

Mr. President, we cannot revive prosperity in this country until we can regain and reopen foreign markets for our surplus farm products. There is not any other way out of this dilemma. We cannot restore prosperity to our great industries which depend upon foreign markets until we regain their foreign markets. We cannot restore prosperity to our great industries which have no exports themselves, but which depend upon domestic markets, which in turn depend on foreign markets, until we can regain and reopen these foreign markets. You might as well say that the dome of this Capitol is supported by the roof of the Capitol instead of by the foundations of the Capitol, as to say that those nonexporting industries do not depend upon foreign markets.

Mr. President, let me state the position which our farmers held in our national economic structure. The farmers and their families constitute one-third of our entire population, and prior to the panic our farmers owned one-fifth of our national wealth—more than the capital invested in all the mines and all the mills and all the railroads combined. Our farmers created one-sixth of our national income. They produced one-half of the raw material which gave employment to our wage earners.

They produced one-half of all our exports. They paid one-fifth of all our taxes. They furnished one-eighth of all the tonnage carried by the railroads. They bought one-

tenth of all the goods manufactured by all our industrial establishments in the whole country.

Our farmers were the largest single group of consumers. When their purchasing power vanished the prosperity of industry and of agriculture vanished with it. They departed hand in hand. We have got to bring that prosperity back to the farm. We have got to open foreign markets for our surplus farm products in order to restore prosperity either to the farmer or to those who produce goods or render services in behalf of the farmer.

As I understand, the efforts of the administration, the efforts of the A.A.A., have been directed toward the restoration or the revival of the purchasing power of our farmer. We must raise the price of what he sells more rapidly than we raise the price of what he buys, otherwise we have not restored the balance between agriculture and industry. I have always doubted whether the processing tax alone would restore that balance.

I have always doubted whether the processing tax alone would restore either the purchasing power or the prosperity of our farmers. Even if we take a billion dollars out of the pockets of the consumers and transfer it to the pockets of the producers, I have always doubted whether our consumers with their purchasing power diminished \$1,000,000,000 would or could continue to buy an equal quantity of farm produce, paying an additional billion dollars into the bargain. What our farmers need is wider and better markets—not bigger and heavier taxes, not bigger and heavier debts.

Let me mention a byproduct of this processing tax in my own State. We have about a dozen small packing houses in Oklahoma, local, of course, in their service, providing a limited outlet for the farmers in their neighborhood, but competing more or less with the big concerns which have their plants in Oklahoma City. I am advised, and I believe reliably advised, that the processing tax will destroy each and every one of these little independent packing houses, and leave the field open to the domination of the big concerns. That is another unplanned byproduct of planned economy. Perhaps I have less faith in planned economy than it deserves. It presupposes too much. It presupposes omniscience. Few men are all-wise. It presupposes omnipotence. Few men are almighty. In order to establish planned economy, we must know the unknowable. In order to carry it out, we must control the uncontrollable. They who attempt impossibilities ought to calculate on a certain percentage of failures.

Mr. President, how are we to reopen foreign markets for our surplus farm products? There is only one way. In order to reopen foreign markets to our surplus farm products, we must to some extent reopen our own markets to foreign goods. In the last analysis international trade is nothing more nor less than the exchange of goods, than the exchange of surpluses. We must arrange to swap surpluses. International trade is not and cannot be made a one-way track. When we close our gates to keep imports out, we close our gates to keep exports in—to keep cotton and wheat and pork and lard and petroleum and automobiles within our gates.

We cannot sell our surplus farm products in foreign markets unless we in turn buy goods in foreign markets. There is no other way. Exports are exchanged for imports. Imports are the only legal tender in the long run for our exports. We cannot sell our farm products abroad unless we buy foreign products in foreign markets. We cannot sell unless we buy. Foreigners cannot buy from us unless we buy from them. There is no escape from that dilemma.

Our exports can be paid for in only one of two ways, theoretically. The foreigner must pay us with gold or he must pay us with goods. He does not have the gold with which to buy our goods, and if he had he would probably emulate our example and lay an embargo upon his gold. The foreigner must pay for our goods with his goods. I repeat, that in the long run there is no other way to effectuate such an exchange of surpluses.

We tried the different schemes. From 1922 to 1929 our exports exceeded our imports by five and one-half billion dollars. It looked like prosperity. But, Mr. President, we lent the foreigner the money with which to pay for those exports. The foreigner borrowed our money to buy our goods, and the trouble is he borrowed more than he bought. He borrowed more than \$3,000,000,000 and bought less than \$6,000,000,000. But we lent him the money with which to buy. That scheme, however, was bound to fail. It could not succeed.

Now, I think, no one will rely upon our lending the foreigner money in the future with which to buy our surplus goods.

That brings us back to this point. If we desire to sell our surplus goods abroad we must buy the surplus of the foreigner in foreign markets. What we produce and do not need we must exchange for what others produce and do not need. We must exchange what we have and do not want for what we want and do not have. It is not a matter of choice. That is the only way; and the pity of it is, the way is not subject to our command or control. It now takes an arrangement to do it.

We have increased our duties from time to time. Foreigners have increased their tariffs, their quotas, their embargoes, their prohibitions; they have manipulated foreign exchanges in order to protect their gold and to protect their markets. Whether that was done through retaliation or not does not now concern us. Whether it was offensive or defensive is not the point. It has come to pass that we must prevail upon the foreigner to relax his restrictions against our exports, and in order to do that we may be obliged to relax our restrictions against his exports to this country. The barriers that have gone up together may have to come down—barrier for barrier.

It will be said: Where will the concessions be made? We have more than 1,000 articles on our dutiable list today of which we import less than 5 percent of our domestic production. There is some room for concessions.

Here is another point that should not be overlooked. The Smoot tariff measure—and I do not mean to rouse the sleeping tiger of partisan controversy—was passed by the friends of high protection. I assume that the rates in that measure were as high as they ought to have been. Many of those duties were specific not ad valorem—specific—so much per yard, per pound, per gallon. Some of those commodities have shrunk in value as much as 50 percent. That means that these specific duties have increased automatically 100 percent, and in some instances they have increased 200 percent. There is some room for reduction.

Not only that but the devaluation and depreciation of our dollar amount to an increase in the tariff rates of nearly 70 percent—70 percent pyramided upon duties which were high enough when enacted, a 70-percent increase against the countries remaining on the gold standard. This advantage, real or imaginary, has been canceled out, of course, correspondingly by other countries whose currencies have depreciated. This provides some room, let us hope, for relaxation of trade restrictions which will permit the foreigner to sell some of his goods here in exchange for our cotton, our wheat, our lard, our petroleum, and our automobiles.

Mr. President, that brings me to this point: There are those in this country—and I think they are to be found pretty much in all parties—who insist that our tariff duties must be high enough to cover the difference between the cost of production at home and abroad. I am not partisan at all when I say that the Republicans inserted that in their platform as far back as 1908. They have an original copyright on that policy. In 1932 the Democrats pilfered that policy.

In 1932, camping where the Republicans had camped 24 years before, we proclaimed that we were in favor of a competitive tariff. I suppose this means tariff duties high enough to cover the difference between the cost of production at home and abroad. Mr. President, that is a specious theory; it is not sound economics. It may be good politics,

but it is not good sense. It may be good politics, if unsound economics is ever good politics. It is a sort of lullaby; it croons fear to sleep and protects our politicians against the wrath of the protected interests that might resent a more positive statement of principle.

Mr. President, the declaration in favor of a tariff high enough to cover the difference between the cost of production at home and abroad is not only an economic fallacy but it is an impossible standard; it cannot be applied. When I say that I am not partisan. I will have the clerk read a question which I asked the Republican chairman of the Tariff Commission and his answer.

The PRESIDENT pro tempore. Without objection, the clerk will read as requested.

The Chief Clerk read as follows from page 147, hearings on House bill 8687:

Senator GORE. Let me ask you right there—I judge from what you said, that the cost-of-production theory, in your judgment, is not possible of application, even if it were desirable, and it would not be desirable, even if it were possible?

Mr. O'BRIEN. That is exactly my view.

Mr. GORE. Mr. President, in another place the Chairman of the Tariff Commission exposes the fallacy of the whole theory, and I will insert that in the RECORD.

The PRESIDENT pro tempore. Without objection, the extract will be inserted in the RECORD.

The extract is as follows:

Mr. O'BRIEN. Well, the notion that you can obtain costs of production; the notion that you ought to obtain them; the notion that tariffs between countries should rest upon differences in costs of production, even if omniscience should give us the power to determine them, is all wrong (tariff hearings, pp. 143-144).

Mr. GORE. Mr. President, the cost of producing a given article varies in every country on the globe where it is produced. The cost of producing a given article varies in every establishment in a given country. The cost of producing an article in a given establishment varies from time to time in the same establishment. It is an utterly impossible standard; and, if it were possible, would you adopt the cost of the most efficient plant or of the most inefficient as the criterion? Would you adopt the inefficient and penalize the efficient, or would you adopt the efficient and pension the inefficient?

Mr. President, if the cost of production standard were possible it would not be desirable, because it ignores the very taproot of all trade and commerce. People trade for two reasons; either to get something which they cannot produce at all or to get something which somebody else can produce cheaper than can they themselves; and the cheapness need not be absolute; it need be only relative or comparative. International trade, like individual trade, depends not upon absolute difference in cost, but in the comparative difference in cost. Because it costs more in some other country to produce a given article than it costs us is no reason why we should not buy that article from the foreigner. Let me illustrate: Suppose that A in 1 week's time can produce 2 cords of wood or 2 hats or 2 pairs of shoes, and suppose that B in the same week can produce 3 cords of wood or 4 hats or 6 pairs of shoes. B can produce wood at a less cost than A but it would not pay him to produce wood; he would better devote his week to producing 6 pairs of shoes and exchange 4 pairs of shoes with A for 3 cords of wood. A ought not to devote his week to producing 2 pairs of shoes; he ought to produce 2 cords of wood and exchange them with B for 3 pairs of shoes. He would have an extra pair of shoes into the bargain or the money, which he could spend on the purchase of "shoes and ships and sealing wax." The whole theory ignores the very fundamental taproot that gives rise to trade and commerce whether it be between individuals in the same country or between individuals in different countries, or between two countries that are foreign to each other. International trade is not trade between nations as such. It represents the total trade, the aggregate exchanges, between all the importers and all the exporters in the countries concerned.

Mr. President, I think that nationalism has gone mad. The extremes of nationalism and internationalism are

equally objectionable. The war created eight new countries in Europe and 12,000 miles of additional international boundaries, every mile of which is a point of irritation, with customhouses and tariff rates bristling like bayonets along the 12,000 miles, each country desiring to become economically self-sufficient, each increasing its own productive capacity, superimposing it upon a world that was already oversupplied with productive capacity. I had hoped that the war might teach us this one lesson, that while nations are independent politically, this globe is an economic unit, and the theory of economic independence among nations is an unrealizable dream. Interdependence is a fact, and to ignore that fact but cheats us in a real effort to promote permanently a substantial recovery.

Let me say here that I think we are fortunate to have Secretary Hull at the head of the State Department. He is a true and steadfast and an undeviating friend and champion of both domestic and foreign commerce.

Mr. President, I do not intend to discuss the constitutional features of this measure. If it undertakes to empower the President to enter into treaties without requiring them to be ratified by the Senate, there are those who think that it is unconstitutional, and I am inclined to agree. If it empowers the President to raise and reduce duties on his own motion, there are those who insist that that is a delegation of legislative power, and I am inclined to agree. I say "inclined", because I am not certain that the Supreme Court would hold that either of such grants would be an unconstitutional delegation of legislative power. Since the Supreme Court has held that "thou shalt not" means "maybe", during an emergency, at least, we should not foreshadow the action of the Court upon this constitutional point.

On the 1st day of April 1932 I voted to repeal the flexible tariff provisions of our existing tariff law. I cast that vote on constitutional grounds. I voted to take that power away from President Hoover.

I voted to take that power away from a Republican President. I voted to take that power away from the President of the United States. I do not think it was unconstitutional to vest that power in a Republican President and constitutional to grant that power to a Democratic President.

In this place, I desire to state one principle of constitutional law. I wish to make it clear and certain. I state it in order that the RECORD may show, in order that "the sons of men may know."

Congress cannot delegate legislative power. Congress cannot delegate the power of legislation to any man or to any set of men. Congress cannot delegate the power of legislation to the President or to anyone else. That question is not an open question. That question has been settled. It has been settled by the Supreme Court of the United States. I quote from the Court's opinion in the case of *Field v. Clark* (143 U.S.):

That Congress cannot delegate legislative power to the President is a principle universally recognized as vital to the integrity and maintenance of the system of Government ordained by the Constitution.

When the Congress makes a grant of power, when the Congress delegates power to the President, this question may arise: Is the power legislative in character? If so, the grant is void. But if the power is executive, or is administrative in character, then the grant is valid if it comes within the expressed or implied powers of the Congress, or of the Government under the Constitution.

I am reminded of this. Dante describes a scene which he witnessed in Malebolge, a fierce encounter between a creature in human form and a mighty serpent. The combat was fierce and furious. The combatants inflicted deep, gaping, bleeding wounds upon each other. There came a pause in the strife. The antagonists glared at each other. A cloud fell upon them. A strange transformation took place, each creature was transfigured into the likeness of his antagonist. The serpent's tail began to divide and take the form of human limbs. The legs of the human form began to entwine and take the form of a serpent's tail. The

serpent put forth arms like a man, stood up erect, and spake like a man.

The arms of the human form disappeared in its body, and it fell down upon its belly and glided hissing away into the jungle. I say this apropos of nothing. It reminds me of nothing. Nothing reminds me of it. It just seemed to me to be passing strange.

Each side can choose sides. I do not know how long it takes a Democrat or a Republican or a leopard to change his spots. I have been trying to change mine. I first tried to change the black spots to make them white, but that would not work. I am now trying to change the white spots to make them black. I am making some headway. Mr. President, I report progress.

The PRESIDENT pro tempore. The time of the Senator on the amendment has expired.

Mr. CLARK. Mr. President, in view of the very brief time remaining I shall detain the Senate not more than 10 minutes, because I know there are other Senators who desire to be heard before we vote at 12 o'clock.

Mr. President, I rise to address the Senate for the purpose of expressing the very earnest hope that the Johnson amendment, and all other amendments for the purpose of exempting specific commodities or particular classes of goods from the operation of the bill, will be defeated. The amendment, Mr. President, is not designed to help agriculture; it is designed to kill the bill. Its adoption would be the signal and the rallying call for the offering of amendments exempting every item and every classification now covered in the tariff laws or which might be conceivably included under the tariff laws. I cannot conceive how any friend of the measure can reconcile his support of the bill itself with support of the Johnson amendment or any of the horde of amendments on other items which are sure to follow it if its adoption should be accomplished.

Mr. President, I would be the last to doubt the entire good faith or question the high ideals of that great and valuable public servant, the Senator from California [Mr. JOHNSON], for whom I entertain both affection and respect. But, I repeat, the only possible effect of the adoption of these amendments is not to aid agriculture, but to sabotage this measure. The American farmer, Mr. President, owes his present pitiable position not to insufficient protection on agricultural commodities but to too much protection on everything which the farmer has to buy.

It is a well recognized and undeniable fact that protective duties can never be effective as to any commodity of which we produce a great exportable surplus which must be sold abroad at prices regulated by world conditions. This fact was completely demonstrated when, during the dark days of the Hoover administration, with a tariff of 42 cents a bushel on wheat, wheat actually sold down to 23 cents. With the highest tariff on wheat in the history of the Nation, wheat reached the lowest levels in 400 years.

The tariff on agricultural commodities has been bait for suckers, a lure held out to induce the farmer to endure the whole iniquitous prohibitive tariff system. During the campaign of 1928 the promise was held out that a revision of the tariff would take place immediately for the sole purpose of adjusting the agricultural schedules, and then, instead, a bill was enacted into law putting added duties on nearly every item of the dutiable list, a bill which made the historic and infamous tariff of abominations which laid the foundation for the Civil War seem by comparison mild and equitable.

What has happened to the farmer is this: He has been compelled over a long period of years to buy everything which he has to buy in a protected market, paying a tariff tax—because, of course, the tariff is nothing except a tax which the American consumer has to pay—and to sell everything which he has to sell in a free market at prices regulated by world conditions. That is a process of attrition like bucking a faro bank or any other gambling game in which there is a definite percentage against the player. Neither the great John D. Rockefeller nor Henry Ford nor Andrew W. Mellon could stand it long, and it has just about broken the American farmer.

With the highest tariff rates in our entire history, we have been in the depths of the worst depression in history. Since the enactment of the Hawley-Smoot tariff bill and the retaliatory tariffs and quota allotments set up by other nations, our exports have fallen from five and a quarter billion dollars to one and two-thirds billion dollars. Our favorable balance of trade since 1929 has dropped from nearly a billion dollars to about \$200,000 a year; and it is significant that while all world trade has diminished, we have been far from holding our own in the diminished total, and our percentage has constantly declined. In 1932, for the first time since 1914, Great Britain's share of world trade exceeded our own.

Our foreign trade has fallen away to nearly nothing. Huge surpluses of the products of American industry and agriculture, the sale of which in foreign lands had made the prosperity of the United States, accumulated on our hands. The more food that was produced in the United States the more millions were hungry within our borders. The more gold we accumulated the more our financial structure was impaired.

I do not wish to detain the Senate at this late hour of the consideration of this most important measure with a mere theoretical dissertation on the tariff. I do desire to emphasize that the economic principles which form the fabric of this measure are such as not even honest high protectionists should find objectionable. Certainly none of my brethren on the other side of the aisle would have the hardihood to take exception to the party standing of the late President William McKinley. He was the author of the McKinley bill, and as President he signed the Dingley bill. He was the high priest of protection. Yet in the last utterance before his death, at Buffalo, with the light of another world shining on his face, he said:

The period of exclusiveness is past. The expansion of our trade and commerce is the pressing problem. Commercial wars are unprofitable. A policy of good will and friendly trade relations will prevent reprisals. Reciprocity treaties are in harmony with the spirit of the times; measures of retaliation are not.

Mr. President, I wish that those words, which were so true then, so much truer today, could be implanted in letters of fire in the brain and heart of every Senator as he casts his vote on this measure.

President McKinley continued:

If perchance some of our tariffs are no longer needed for revenue or to encourage and protect our industries at home, why should they not be employed to extend and promote our markets abroad?

Mr. President, it seems to me to be remarkable that a proposition so logical and simple as that, powers not one whit more extensive than have heretofore been granted by the Congress and upheld by the courts—powers certainly no more extensive than those upon which President Hoover insisted, and which he forced through Congress in 1930—powers which we now seek to grant the President for the purpose of enabling him to undo as far as possible the mischief caused by a war of tariff aggression for which we as a nation must accept a large share of primary responsibility, should be assailed by charges of dictatorship and usurpation; and these frantic charges in many instances come from the very men who helped to create the situation from which we are attempting to escape.

Mr. BAILEY. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from North Carolina?

Mr. CLARK. I do.

Mr. BAILEY. The Senator states that our foreign trade has fallen away practically to nothing. That was his statement, I believe.

Mr. CLARK. That was an exaggeration. It still amounts to a large sum of money, but a very small proportion of what it did in 1929.

Mr. BAILEY. I will make allowance for the rhetorical character of the statement; but I wish to get some light on this phase of the matter:

We measure the foreign trade in terms of dollars; and dollars, of course, relate not to volume but to price. Since

the price of commodities in general has fallen, at a fair estimation, by about 60 percent in the past 5 years, if we make allowance for that loss of 60 percent in value, will it not appear that the volume of our foreign trade has been diminished in so relatively small a way that we could not, even by a rhetorical statement, assert that the trade has fallen away to nothing?

Mr. CLARK. I will say to the Senator that I do not believe his statement is true, because the foreign trade of the United States has fallen off in a tremendous proportion, both in value and in volume; and in the diminished international trade the share of the United States has fallen off very materially. In other words, we have nothing like held our own in world trade.

Mr. BAILEY. Our share of foreign trade relatively has fallen off three points, from 13 percent to 10 percent of world trade. That was stated in the discussion here on last Friday. Let us assume, however, that the export trade of the United States was \$5,000,000,000 at the peak. That is the assumption. We had a total foreign trade of \$10,000,000,000; that is, exports and imports. That was about the highest we ever had, and that is the top figure. Take off 60 percent for the decline in price. Sixty percent of five billions is three billions. Three billions from five billions is two billions. If the export trade now approximates \$2,000,000,000, most of the loss in the foreign trade is not the loss in volume but the loss in price.

Mr. CLARK. I am perfectly willing to agree that the percentage loss in volume has been smaller than in dollars. Those facts are all in the hearings, and I shall be glad to put them in the RECORD. I should be glad to go into that subject at this time, except that I am attempting to conclude my remarks in time to give the Senator from Kentucky [Mr. BARKLEY] a chance to address the Senate.

Mr. BAILEY. I just wished to make my point, because we ought not to discuss this matter in terms of dollars so much as we should in terms of volume.

Mr. CLARK. I perfectly agree with the Senator that the figures ought to be checked both ways; and the figures show substantially the same result either way they are checked.

Mr. President, this whole proposition seems to me to be as simple as A, B, C. By the most wanton economic aggression in all history, in a series of prohibitive tariff acts, we placed ourselves in the situation of undertaking the unheard-of economic feat of forever selling everything and buying nothing; in short, of attempting to pull ourselves up by our own boot straps. We properly demanded the payment of just debts owed us by other nations, and then, having nearly cornered the gold supply of the world, we refused our debtor nations the opportunity to pay us in the only medium of exchange they possessed—in goods and commodities. The Hoover-Grundy bill was the last straw, which brought swift retaliation from every nation in the world, shut the nations of the world in airtight compartments, and paralyzed world trade.

As the leading exporting nation of the world—a nation which produces huge exportable surpluses, both of manufactured articles and agricultural products—we were the chief sufferers. We have been "hoist on our own petard." By our own action in forcing every other nation into a system of prohibitive tariffs and quota allotments we have shut out American farm products and American manufactured goods from the markets of the world. The difference between being admitted to these markets and being excluded from them has meant the difference between prosperity and bankruptcy to the American farmer, the American manufacturer, and the American laboring man.

Let me say, Mr. President, that whatever may be the general theoretical view of any man or woman upon the general subject of tariffs, all reasonable and practical legislators realize that changes of peculiar violence are to be avoided. When a man has been foolish enough to climb the face of an unscalable cliff he cannot successfully undo his folly by leaping at once to his starting point. However we may view the present tariff situation from a theoretical viewpoint, all

must realize that we must retrace gradually the steps by which the present disaster has been created. The primary necessity of the world now is to make a start on unraveling the snarl into which all economic affairs have fallen; and this necessity is the more vital for us because other nations are already, and have for several years been, taking steps to improve their own international trade relations, while we have remained aloof and suffering the bitter effects of that aloofness. If, however, our international trade is to be restored, if we are to be given a chance to dispose of our surpluses, the sale of which has led the way out of every depression which this country has ever known, unless we desire to build another Chinese wall about the United States and live entirely within ourselves, some such measure as the pending bill must be enacted into law.

So far as I am concerned, I wish the condition which has been created could be cured by simple acts of Congress which could be signed by the President reducing the extortionate tariff rates which lie at the root of so much of our troubles; but, having by our own stupendous folly deliberately created the present deplorable situation, we now find ourselves powerless to correct it alone. A mere reduction of our tariff taxes—for a tariff rate is as much a tax as any excise or income tax ever imposed—will not reopen the markets of the world to our products unless it brings about a reduction of the tariff and quota restrictions set up in retaliation against us by other nations.

We cannot be certain, or even confident, of reciprocal concessions without negotiation. These negotiations, both from theory and practice, cannot be conducted by the Congress, and must of necessity be carried on by the Executive. Our treaty-making process is too cumbersome to permit of its use in trade negotiation. No nation in the world in the present situation would be willing to deal with us on such terms. In the last analysis we are face to face with the proposition that if we are sincere in our desire to end the most destructive economic war in history, if we desire to undo the evil results of our own folly, we have no option save to follow the proposal of the President by authorizing him to accomplish these results through the medium of reciprocal trade agreements.

Mr. President, we now come to the question not of the economic effect to be accomplished by a restoration of world trade but of the method which is being employed in this particular bill; and, if a personal reference may be pardoned, those of my colleagues who have done me the honor to pay any attention to my votes and expressions on this floor know that no Member of this body has been more jealous of the preservation of the rights and functions of the legislative branch of the Government than have I. Since I have had the privilege of serving in the Senate of the United States, I have many times opposed extraordinary grants of power by Congress to the Executive—even for purposes with which I often agreed—as being either unconstitutional or unnecessary. If I believed the present grant to be unconstitutional, or any extension of powers already granted, I should unhesitatingly vote against it, even though I have the most intense sympathy with its purposes. I do not so believe. I believe that this is a grant, both constitutional and vitally necessary, no whit more extensive than that now given the President for utterly futile purposes of retaliation under section 338 of the existing law. I believe it to be essential to the welfare of the United States. Therefore, Mr. President, I shall take great pleasure in voting for this measure, and in voting against every proposal to emasculate it and bring about dissension among its supporters.

The amendment of the Senator from California is calculated to destroy the bill. Let no one be misled. It is now a fundamental principle of warfare—exemplified in American history by two of the greatest soldiers who ever trod shoe leather, Stonewall Jackson and Nathan Bedford Forrest—that when confronted by overwhelming superiority in troops or armament, victory may yet be achieved by taking the enemy in detail instead of in mass. Such today is the strategy of the opponents of this measure. Let them but make one breach by the adoption of this amendment

and they will be back on their favorite battleground, the old field for general tariff bills, where trading and logrolling and chicanery and lobbying created the condition which has led to so much misery in the world today.

Mr. BARKLEY. Mr. President, I should not impose myself on the Senate at this time in a discussion of this bill except for the fact that in the debate which has proceeded since we began its consideration those of us who happen to be members of the Finance Committee now, and happened to be members of it in 1929-30, have had our names bandied around on the floor of the Senate and in the newspapers as being inconsistent because we now support this measure and opposed in 1930 a measure that is claimed by the opposition to have been similar.

I have no desire to reiterate the constitutional arguments which have already been adduced in behalf of this legislation; but of all the group of men in any body and of all political parties that have no right to charge inconsistency on a proposal of this sort, that party is the Republican Party, and that group is the group which sits opposite us on the other side of the aisle of this Chamber.

It has already been shown that from 1794 down to the present time the United States, from time to time, has engaged in just such activities and such negotiations as are provided for in this bill. There has always been a difference, and there is now a difference, between a treaty negotiated by the President, which requires the approval of the Senate, and the authorization by an act of Congress for negotiating trade agreements between our country and others.

The Constitution of the United States gives the Congress the power to levy taxes. Those taxes must originate in the House of Representatives. It also gives Congress the power to regulate commerce among the States and with foreign countries. The power to regulate commerce is just as complete and plenary as is the power to levy and collect taxes.

All the resolutions and acts of Congress from the beginning until now, authorizing the President to enter into negotiations or agreements with foreign nations affecting our commerce, have been predicated upon the power to regulate commerce to a greater extent than the power to levy taxes.

There is a vast difference between delegating to the President of the United States, as a bald proposition, the power to levy taxes, and delegating to him the authority, as the agent of Congress, to enter into negotiations and agreements in regulating the commerce of the United States with foreign countries.

Congress cannot regulate commerce, although the Constitution authorizes it to do so. It would be utterly impossible for Congress to pass a law fixing freight rates which should apply upon commodities and on all railroads in the United States; and because long ago Congress recognized its inability to pass legislation regulating commerce in that detailed sense, it set up the Interstate Commerce Commission as the agency of Congress to carry out the details of that regulation in which Congress has the power to engage.

It was in the exercise of the power to regulate commerce among the States that the Interstate Commerce Commission was created, that the Federal Trade Commission was created, that the Radio Commission was created, and that now a new commission, to be known as the Exchange Commission, to regulate the transactions upon the stock markets of the United States, has been created.

Just as it is impossible for Congress, by an act, to perform the administrative duties of regulating in detail commerce among the States, it is likewise impossible for Congress, by an act, to regulate in detail commerce with foreign nations.

Wherever there is need for such regulation, wherever there exists a condition which demands, in any form or to any extent, a regulation which will make it necessary to negotiate with foreign countries in a reciprocal understanding, Congress has the power and the right, and it is its duty, to set up the machinery or the agency by which its mandate may be carried into effect. The agency which we set up here is the President of the United States.

Mr. President, this is not a novel proposition. In the Tariff Act of 1890, which was passed through Congress by the political party which occupies the other side of the Chamber, the President was authorized, acting as the agent of the Congress, to enter into negotiations with foreign countries with respect to the regulation of commerce. Regulation may be brought about by quotas, or by embargoes, or by restrictions; it may likewise be brought about by the adjustment of tariff rates, which are, in a sense, taxation, but which in another sense are regulations of commerce.

In the Tariff Act of 1897, passed during the McKinley administration, Congress authorized the President to negotiate reciprocal trade agreements with foreign countries. In one section it provided that he might enter into those negotiations and enter into those agreements by and with the advice and consent of the Senate, and in another it authorized him to do so without such ratification on the part of the Senate. It is a matter of history that operating under that tariff law, passed under McKinley, an agent was appointed by McKinley by the name of Kasson, who negotiated about seven or eight treaties with foreign nations which, under the terms of the act, had to be ratified by the Senate, and although the Republican Party had a majority in the Senate, not one of those treaties was ever ratified, because there was not a two-thirds majority to be had for ratification, although our opponents were in control of every branch of the Government. Therefore the benefits expected to flow from those reciprocal understandings were defeated.

Mr. President, that is one reason why I am opposed to providing that before any negotiations contemplated provided in this bill or any similar negotiations shall become effective they must be brought back to the Senate of the United States for ratification, because there they may either fail of ratification or the benefits to be derived may have evaporated into thin air before the Senate of the United States, in view of its history with reference to treaties, would ever take action thereon.

There are three kinds of international agreements with which we have had experience. One is a treaty in its truest sense, which must be ratified by the Senate. Another is a legislative authority upon the part of the President to negotiate a treaty or an agreement to take effect when it shall be ratified by Congress, which involves both Houses, and we have had instances of such authority. The other is the proposal we have before us authorizing the President to make agreements under certain circumstances, fixing in more or less flexible fashion a yardstick by which he is required to be guided, which agreements are not to be ratified either by the Senate or by the Congress as a whole.

Mr. President, I do not think it lies in the mouths of our opponents, therefore, to charge us with inconsistency because 4 years ago we opposed a provision in a tariff bill authorizing the President to levy taxes, for that is what it meant, without regard to any international agreement, as a one-sided, unilateral proposition to raise or lower tariff rates as a matter of taxation. I opposed that provision, and I lifted my feeble voice against it, and I would do the same now if such a proposition were before us under the same circumstances.

We are not authorizing the President, by this bill, to levy taxes; we are authorizing him, as our agent and our administrator, to enter into negotiations having in mind the enlargement of our trade with foreign nations.

We need not delude ourselves into the belief that we can remain a strong, virile, and prosperous nation and withdraw ourselves within our own shell. From the day when the Phoenicians sent their ships and their agents out over the seas and over the lands to carry their commerce to the nations of the world, until today, every great, powerful, and prosperous nation in the world has been a trading nation. In all ages and in all countries the outposts of civilization have been the outposts of commerce. Hard upon the heels of the explorer has come the commercial agent.

Our own country was discovered in 1492 because Christopher Columbus was seeking a shorter route to the markets of the world, and the greatest cementing and unifying force

in the American Republic has been our interstate transactions and our commerce.

It was because of the jealousies and the friction growing out of the efforts of the original colonies to keep commerce out of their borders that our Constitutional Convention wrote into our fundamental law a provision that Congress shall have power to regulate commerce among the States.

The first little convention which met in Annapolis, Md., to settle the dispute between Virginia and Maryland over the navigation of the Potomac River developed into the convention which met in Philadelphia and wrote the Constitution of the United States.

The Legislature of New York passed an act forbidding the importation of firewood from Connecticut, in order to make the people of New York burn their own wood. That legislature enacted a law forbidding the importation of potatoes, parsnips, and carrots, and other vegetables from Virginia, Connecticut, Maryland, and New Jersey into the State of New York in order to make the people of New York eat their own potatoes, parsnips, and carrots.

When our forefathers met to write a constitution they had foresight enough to realize that trade, commerce, the interchange of the handiwork of man, is the forerunner of civilization and the unifying force of the world. They gave Congress power to regulate commerce instead of leaving it to the States to regulate commerce among themselves and with foreign nations.

The bill we have before us today is in furtherance of that object. It is in line with that command. It is in harmony with that authority, and it is in line with it at a time when our foreign commerce needs revival more than at any other time in the history of America.

The Secretary of Commerce under President Hoover, Mr. Lamont, a very able man, made the statement—I think it was about a year before he retired from office—that for every billion dollars of American merchandise sent into other countries 3,000,000 men were employed to produce that merchandise in the factories and the fields of the United States.

If it be true, as it is true, that our export trade has fallen from \$5,240,000,000 in 1929, to a little over a billion and a half dollars in 1933, it is not a stretch of the imagination to say that at least 6,000,000 of the American workingmen who are today walking the streets in search of employment which they cannot find, are walking the streets unemployed because we have lost between three and four billion dollars in American merchandise sent to the markets of the world.

Every other nation with which we compete has already the agencies by which it can compete intensively and promptly and without delay. More than 60 of these nations have already entered into international agreements by which they further their commerce.

While our trade has fallen from a basic 100 percent in 1929 to 34 percent in 1933, our proportionate world trade has fallen to a larger extent than that of any other commercial nation in the world. So that we are not only losing in our race so far as our exports are concerned but the markets which we used to occupy are being won by our competitors, who have set up their own machinery without delay to enter into mutual reciprocal agreements with other nations of the world.

Therefore, Mr. President, I am in favor of this bill, not only because it in some measure seeks to put us upon a competitive level with our competitors, but because it puts within our power the opportunity to extend our markets so as to give employment to American labor, to bring wealth to our doors, and to resume our place of leadership among the great commercial nations of the world.

I am opposed to the amendment which is now pending, offered by the Senator from California [Mr. JOHNSON], because under the terms of that amendment the President of the United States could not enter into an agreement designed to furnish a market or find a market for our agricultural products without regard to the character of any reciprocal understanding or advantage that might be sought by any other nation.

Under the amendment of the Senator from California we could not enter into any agreement with any other nation by which they would take more wheat, more tobacco, more pork or beef or cotton from us in return for our taking silk or perfumes or any other commodity that they may ship to us, because the language of this amendment provides that the President shall exclude from all negotiations any agricultural products, whether they are coming in or going out.

However, I do not desire to take advantage of any technical language that may be in the Senator's amendment, because I am against all amendments to this measure, and I shall vote against any other amendment without regard to its language or to its author; for I believe one of the prime desires, one of the leading motives that prompted its sponsors, is to furnish a wider field for the exportation of American agricultural products.

I come from a tobacco State, 41 percent of whose product finds its market, if it finds a market, in foreign nations. But without regard to local conditions or State lines or boundaries, we all know that we ship more agricultural products out of our country than we ship in.

In 1933 we shipped out of the United States \$398,000,000 worth of raw cotton, unmanufactured cotton.

In 1928 we exported \$294,000,000 worth of crude foodstuffs, every ounce of which was agricultural.

In that same year we exported \$285,000,000 worth of vegetable products grown out of the soil of the United States.

But in 1933 our exports of vegetable products had declined from \$285,000,000 to \$46,000,000. Our exports of crude foodstuffs declined from \$294,000,000 to \$48,000,000. So that our agricultural markets have declined in as large a proportion, if not a larger proportion, than have the markets for our manufactured products.

The Senator from North Carolina [Mr. BAILEY] a moment ago interrupted the Senator from Missouri [Mr. CLARK] to inquire whether our decline in dollar value had been greater than our decline in volume of commerce. In line with that interrogatory, I wish to state that in 1929 we shipped 111,000,000,000 tons of American products to the markets of the world, without regard to value. But in 1933 the volume of our exports had declined from 111,000,000,000 tons to 52,000,000,000 tons; our decline in the export of our products of field and factory from 1929 to 1933 was more than 50 percent in volume.

I believe the pending measure offers an opportunity which cannot be otherwise garnered to enlarge the commerce of our country, to take advantage of world conditions, to sell more goods, to employ more men, and to bring a greater degree of prosperity to our country. No greater fallacy can entertain the mind of man than the belief that this great, growing Nation, increasing in population and in power and in productivity, can build a wall around itself so high that we cannot get out and that others cannot get in to exchange mutually and advantageously the products of the toil of our own people and those with whom we have friendly relations throughout the world.

Therefore I do not believe that this amendment or any other amendment ought to be adopted to this bill, because the only object and the only result would be to handicap and embarrass the President in the negotiations and to lay our cards on the table in advance of the negotiations, so that every nation will know how far it may go and where it must stop. We need not delude ourselves into the belief that other nations will not take advantage of that handicap, that hobbling process which we will enforce, if this amendment or any other amendment shall be added to this bill. I hope the pending amendment will be rejected; that all amendments designed to cripple the administration of the powers here conferred will be defeated, and that the bill may be speedily enacted into law.

The PRESIDENT pro tempore. The hour of 12 o'clock having arrived, under the unanimous-consent agreement no further debate on the so-called "agricultural amendments" is in order, and the question is on the amendment submitted by the Senator from California [Mr. JOHNSON].

Mr. HARRISON. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Senator from Mississippi suggests the absence of a quorum. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Costigan	Hebert	Pope
Austin	Couzens	Johnson	Reynolds
Bachman	Cutting	Kean	Robinson, Ark.
Bailey	Davis	Keyes	Russell
Bankhead	Dickinson	La Follette	Schall
Barbour	Dieterich	Lewis	Sheppard
Barkley	Dill	Logan	Shipstead
Black	Duffy	Loneragan	Smith
Bone	Erickson	Long	Steiwer
Borah	Fess	McCarran	Stephens
Brown	Fletcher	McGill	Thomas, Okla.
Bulkley	Frazier	McKellar	Thomas, Utah
Bulow	George	McNary	Thompson
Eyrd	Gibson	Metcalf	Townsend
Byrnes	Goldsborough	Murphy	Tydings
Capper	Gore	Norbeck	Vandenberg
Caraway	Hale	Norris	Van Nuys
Carey	Harrison	Nye	Wagner
Clark	Hastings	O'Mahoney	Walcott
Connally	Hatch	Overton	Walsh
Coolidge	Hatfield	Patterson	Wheeler
Copeland	Hayden	Pittman	White

Mr. LEWIS. I announce the absence of the Senator from California [Mr. McAdool], occasioned by illness, the absence of the Senator from West Virginia [Mr. NEELY] on account of official business calling him to his State, and the absence of the Senator from Florida [Mr. TRAMMELL] and the Senator from Virginia [Mr. GLASS], on official business.

The PRESIDENT pro tempore. Eighty-eight Senators having answered to their names, a quorum is present. The question is on the amendment offered by the Senator from California [Mr. JOHNSON].

Mr. JOHNSON. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. LEWIS (when Mr. NEELY's name was called). I am authorized by the Senator from West Virginia [Mr. NEELY] to say that he is detained on official business in the State of West Virginia, and that were he present he would vote "nay."

Mr. OVERTON (when his name was called). On this vote I have a pair with the Senator from Utah [Mr. KING], who is unavoidably detained on account of illness. I understand that if he were present he would vote against the amendment. If I were permitted to vote, I should vote for the amendment.

Mr. ROBINSON of Arkansas (when his name was called). I transfer my pair with the Senator from Pennsylvania [Mr. REED] to the junior Senator from California [Mr. McAdool], and vote "nay."

Mr. STEPHENS (when his name was called). On this vote I am paired with the senior Senator from Indiana [Mr. ROBINSON]. I transfer that pair to the junior Senator from West Virginia [Mr. NEELY], and vote "nay."

Mr. WALCOTT (when his name was called). In view of the transfer made by the Senator from Arkansas [Mr. ROBINSON] of his pair with the Senator from Pennsylvania [Mr. REED] to my general pair, the Senator from California [Mr. McAdool], I am permitted to vote. I shall let this announcement stand on all votes on this bill. I vote "yea."

The roll call was concluded.

Mr. HEBERT. The Senator from Pennsylvania [Mr. REED] and the Senator from Indiana [Mr. ROBINSON] are both necessarily absent. If those Senators were present, they would vote "yea" on this question.

Mr. FESS (after having voted in the affirmative). I inquire if the senior Senator from Virginia [Mr. GLASS] has voted.

The PRESIDENT pro tempore. That Senator has not voted.

Mr. FESS. I have a pair with that Senator, and therefore I will have to withdraw my vote. I understand that if he were present he would vote "nay."

The result was announced—yeas 33, nays 54, as follows:

YEAS—33			
Adams	Frazier	Keyes	Shipstead
Austin	Gibson	Long	Steiger
Barbour	Goldsborough	McCarran	Townsend
Borah	Hale	McNary	Vandenberg
Capper	Hastings	Metcalf	Walcott
Carey	Hatfield	Norbeck	White
Cutting	Hebert	Nye	
Davis	Johnson	Patterson	
Dickinson	Kean	Schall	
NAYS—54			
Ashurst	Connally	Hayden	Russell
Bachman	Coolidge	La Follette	Sheppard
Bailey	Copeland	Lewis	Smith
Bankhead	Costigan	Logan	Stephens
Barkley	Couzens	Loneragan	Thomas, Okla.
Black	Dieterich	McGill	Thomas, Utah
Bone	Dill	McKellar	Thompson
Brown	Duffy	Murphy	Tydings
Bulkley	Erickson	Norris	Van Nuys
Bulow	Fletcher	O'Mahoney	Wagner
Byrd	George	Pittman	Walsh
Byrnes	Gore	Pope	Wheeler
Caraway	Harrison	Reynolds	
Clark	Hatch	Robinson, Ark.	
NOT VOTING—9			
Fess	McAdoo	Overton	Robinson, Ind.
Glass	Neely	Reed	Trammell
King			

So Mr. JOHNSON's amendment was rejected.

Mr. LONG. Mr. President, I offer the amendment heretofore submitted and intended to be proposed by the Senator from Florida [Mr. FLETCHER] and ask that it be read.

The PRESIDENT pro tempore. The amendment will be read.

The LEGISLATIVE CLERK. It is proposed, on page 3, lines 16 and 17, after the word "proclamation", to insert a colon and the following:

Provided further, That no agreement shall be made with any foreign government whereby tariffs or import duties on products of agriculture or horticulture shall be reduced below an amount necessary to equalize the difference in cost of production of such products in the United States with the cost of production in such foreign countries.

Mr. FLETCHER. Mr. President—

The PRESIDENT pro tempore. Debate is out of order on the amendment.

Mr. FLETCHER. I merely want to make a statement with reference to it.

The PRESIDENT pro tempore. The Chair regrets to state that no debate is permissible under the unanimous-consent agreement.

Mr. ROBINSON of Arkansas. Mr. President, the Chair is correct in his ruling.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Louisiana.

Mr. LONG. Let us have the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. FESS (when his name was called). I have a general pair with the Senator from Virginia [Mr. GLASS]. I am advised that were he present he would vote in the negative. Were I permitted to vote, I should vote in the affirmative.

Mr. OVERTON (when his name was called). On this vote I am paired with the senior Senator from Utah [Mr. KING]. I understand if he were present he would vote against the amendment. If I were permitted to vote, I would vote in favor of the amendment.

Mr. ROBINSON of Arkansas (when his name was called). Announcing the same pair and transfer as on the last vote, I vote "nay."

Mr. STEPHENS (when his name was called). Making the same announcement as before with reference to my pair and its transfer, I vote "nay."

The roll call was concluded.

Mr. LEWIS. I reannounce the necessary absence of the Senator from West Virginia [Mr. NEELY] and beg to state that I am authorized by him to say that were he present and voting he would vote "nay."

The result was announced—yeas 40, nays 46, as follows:

YEAS—40			
Adams	Dill	Johnson	Patterson
Austin	Erickson	Kean	Schall
Barbour	Fletcher	Keyes	Shipstead
Borah	Frazier	La Follette	Steiger
Capper	Gibson	Loneragan	Thomas, Okla.
Carey	Goldsborough	Long	Townsend
Couzens	Hale	McCarran	Vandenberg
Cutting	Hastings	McNary	Walcott
Davis	Hatfield	Metcalf	Wheeler
Dickinson	Hebert	Nye	White
NAYS—46			
Ashurst	Caraway	Hayden	Russell
Bachman	Clark	Lewis	Sheppard
Bailey	Connally	Logan	Smith
Bankhead	Coolidge	McGill	Stephens
Barkley	Copeland	McKellar	Thomas, Utah
Black	Costigan	Murphy	Thompson
Bone	Dieterich	Norris	Tydings
Brown	Duffy	O'Mahoney	Van Nuys
Bulkley	George	Pittman	Wagner
Bulow	Gore	Pope	Walsh
Byrd	Harrison	Reynolds	
Byrnes	Hatch	Robinson, Ark.	
NOT VOTING—10			
Fess	McAdoo	Overton	Robinson, Ind.
Glass	Neely	Reed	Trammell
King	Norbeck		

So Mr. LONG's amendment was rejected.

Mr. JOHNSON. Mr. President, I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. It is proposed to add to the bill a new section, to read as follows:

Sec. —. That neither this nor any other act of Congress shall hereafter be construed as directly or indirectly reducing, or authorizing the reduction of, any existing rate or rates of import duty provided by law upon any agricultural or horticultural product, including all commercial articles or materials produced therefrom by usual first continuous processings.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from California.

Mr. HARRISON. I call for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. FESS (when his name was called). Making the same announcement that I made a while ago as to my pair, I am compelled to withhold my vote. If at liberty to vote, I should vote "yea."

Mr. OVERTON (when his name was called). I have a pair with the senior Senator from Utah [Mr. KING]. I understand that if he were present, he would vote "nay." If I were at liberty to vote, I should vote "yea." I withhold my vote.

Mr. ROBINSON of Arkansas (when his name was called). Announcing the same pair and transfer as heretofore, I vote "nay."

Mr. STEPHENS (when his name was called). Making the same announcement as before regarding my pair and its transfer, I vote "nay."

The roll call was concluded.

Mr. HEBERT. I desire to announce that the Senator from Pennsylvania [Mr. REED] and the Senator from Indiana [Mr. ROBINSON] would, if present, vote "yea" on this question.

The result was announced—yeas 32, nays 53, as follows:

YEAS—32			
Austin	Dill	Johnson	Patterson
Barbour	Frazier	Kean	Schall
Borah	Gibson	Keyes	Shipstead
Capper	Goldsborough	Long	Steiger
Carey	Hale	McNary	Townsend
Cutting	Hastings	Metcalf	Vandenberg
Davis	Hatfield	Norbeck	Walcott
Dickinson	Hebert	Nye	White
NAYS—53			
Adams	Bone	Clark	Duffy
Ashurst	Brown	Connally	Erickson
Bachman	Bulkley	Coolidge	Fletcher
Bailey	Bulow	Copeland	George
Bankhead	Byrd	Costigan	Gore
Barkley	Byrnes	Couzens	Harrison
Black	Caraway	Dieterich	Hatch

La Follette	Murphy	Russell	Van Nuys
Lewis	Norris	Sheppard	Wagner
Logan	O'Mahoney	Smith	Walsh
Loneragan	Pittman	Stephens	Wheeler
McCarran	Pope	Thomas, Okla.	
McGill	Reynolds	Thomas, Utah	
McKellar	Robinson, Ark.	Thompson	

NOT VOTING—11

Fess	King	Overton	Trammell
Glass	McAdoo	Reed	Tydings
Hayden	Neely	Robinson, Ind.	

So Mr. JOHNSON's amendment was rejected.

Mr. JOHNSON. Mr. President, I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The LEGISLATIVE CLERK. It is proposed to add to the bill a new section, to read as follows:

No foreign-trade agreement entered into under the provisions of this act shall become effective until submitted to the Congress and specifically approved by law.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from California.

Mr. JOHNSON. Mr. President—

The PRESIDENT pro tempore. Does the Senator rise to a parliamentary inquiry?

Mr. JOHNSON. No, sir. I rise to debate this amendment in accordance with the unanimous-consent agreement.

The PRESIDENT pro tempore. The Chair holds that, under the unanimous-consent agreement, no amendment with regard to agriculture is debatable.

Mr. JOHNSON. Mr. President—

The PRESIDENT pro tempore. Please let the Chair state the situation.

Mr. JOHNSON. I beg pardon.

The PRESIDENT pro tempore. The unanimous-consent agreement reads as follows:

Ordered, by unanimous consent, That when the Senate concludes its labors today it take a recess until 10 o'clock a.m. Monday, and that not later than 12 o'clock noon on Monday next the Senate proceed to vote without further debate upon the pending amendment or any other agricultural amendment that may be proposed.

Mr. JOHNSON. Now I submit to the President pro tempore that this is not an agricultural amendment.

Mr. HARRISON. Mr. President, will the Senator yield?

Mr. JOHNSON. Yes, sir.

Mr. HARRISON. I may say that it was not the intention of the proponent of the unanimous-consent agreement that 10 minutes should not be allowed a Senator to speak on this amendment. The prohibition of further debate was confined to the agricultural amendments.

Mr. JOHNSON. Exactly.

Mr. HARRISON. This amendment, it seems to me, is of a different nature.

The PRESIDENT pro tempore. The Chair was in error as to the amendment placed before him. The unanimous-consent agreement applies only to agricultural amendments.

Mr. JOHNSON. Correct, sir.

Mr. McNARY. Mr. President, I desire to state that when this matter came up a few days earlier the reason why the words "agricultural amendment" were suggested was that at that time there were only two such amendments pending, one offered by the Senator from California [Mr. JOHNSON] and one by the Senator from Louisiana [Mr. OVERTON]. I am very happy that the Chair recognizes his error.

The PRESIDENT pro tempore. The Chair still contends that any amendment that may be proposed dealing with agriculture is undebatable.

Mr. FESS. That is correct.

Mr. LONG. Mr. President, a point of order.

Mr. OVERTON. Mr. President, I have an agricultural amendment which I wish to offer. I am wondering if the Senator from California will yield to me to offer that amendment.

Mr. HARRISON. Will not the Senator from California, in order that we may get rid of the agricultural amend-

ments, permit the amendment of the Senator from Louisiana to be offered, and let us get through with the subject before he offers his amendment?

Mr. JOHNSON. Yes; with pleasure. I will take any course that will facilitate the proceedings. My experience this morning, however, leads me to make it perfectly plain that I shall have the right to offer this amendment, and I shall have the right to debate it for a period of 10 minutes. There is no question on that score; is there?

Mr. HARRISON. I am sure that so far as I am concerned, there ought to be no question about it.

Mr. ROBINSON of Arkansas. There is no question about that; but it is in order, under the unanimous-consent agreement, to conclude the agricultural amendments.

Mr. JOHNSON. I am glad to have that done, sir; but I do not want to get in the situation that some of our brethren here got into this morning, of having consented to the unanimous-consent agreement and then being compelled—which is something, of course, that never ought to be caused a Senator—to remain mute on the floor during any period of time; and some of us have been compelled so to remain.

Mr. ROBINSON of Arkansas. I cannot agree with the Senator's last statement as a matter of argument.

Mr. JOHNSON. It is just a statement of fact.

The PRESIDENT pro tempore. The Chair will not charge this debate to the Senator from California.

Mr. JOHNSON. Very well, sir.

The PRESIDENT pro tempore. It is in the nature of a parliamentary inquiry. The Chair understands that the Senator from California, for the present, withdraws his amendment.

Mr. JOHNSON. If desired, I will withdraw the amendment until the other agricultural amendments shall have been disposed of.

Mr. OVERTON. I thank the Senator.

I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The Senator from Louisiana offers an amendment, which will be stated.

The CHIEF CLERK. It is proposed to insert at the end of the bill the following:

SEC. —. Nothing in this act shall be construed to give any authority to reduce existing duties on wool and on farm products, including all basic agricultural commodities and all products processed wholly or in chief value from such basic agricultural commodities, as defined or declared in the Agricultural Adjustment Act and acts amendatory thereof.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Louisiana.

Mr. LONG. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. OVERTON (when his name was called). Making the same announcement as on the previous vote, I withhold my vote.

Mr. ROBINSON of Arkansas (when his name was called). Transferring my pair with the senior Senator from Pennsylvania [Mr. REED] to the junior Senator from California [Mr. McADOO], I vote "nay."

Mr. STEPHENS (when his name was called). Repeating the announcement of my pair and its transfer, I vote "nay." The roll call was concluded.

Mr. LEWIS. I reannounce the position of the Senator from West Virginia [Mr. NEELY], namely, that if he were present, he would vote "nay" on this question.

Mr. FESS (after having voted in the affirmative). Has the senior Senator from Virginia [Mr. GLASS] voted?

The PRESIDENT pro tempore. The Senator has not voted.

Mr. FESS. Then I withdraw my vote for the reasons heretofore stated.

Mr. METCALF (after having voted in the affirmative). Has the Senator from Maryland [Mr. TYDINGS] voted?

The PRESIDENT pro tempore. The Senator has not voted.

Mr. METCALF. Then I shall have to withdraw my vote.

The result was announced—yeas 36, nays 49, as follows:

YEAS—36

Adams	Dickinson	Hebert	Patterson
Austin	Dill	Johnson	Schall
Barbour	Erickson	Kean	Shipstead
Borah	Frazier	Keyes	Steiwer
Capper	Gibson	Long	Thomas, Okla.
Carey	Goldsborough	McCarran	Townsend
Costigan	Hale	McNary	Vandenberg
Cutting	Hastings	Norbeck	Walcott
Davis	Hatfield	Nye	White

NAYS—49

Ashurst	Clark	La Follette	Russell
Bachman	Connally	Lewis	Sheppard
Bailey	Coolidge	Logan	Smith
Bankhead	Copeland	Loneragan	Stephens
Barkley	Couzens	McGill	Thomas, Utah
Black	Dieterich	McKellar	Thompson
Bone	Duffy	Murphy	Van Nuys
Brown	Fletcher	Norris	Wagner
Bulkley	George	O'Mahoney	Walsh
Bulow	Gore	Pittman	Wheeler
Byrd	Harrison	Pope	
Byrnes	Hatch	Reynolds	
Caraway	Hayden	Robinson, Ark.	

NOT VOTING—11

Fess	McAdoo	Overton	Trammell
Glass	Metcalf	Reed	Tydings
King	Neely	Robinson, Ind.	

So Mr. OVERTON's amendment was rejected.

REGULATION OF COMMUNICATIONS BY WIRE OR RADIO

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives insisting upon its amendment to the bill (S. 3285) to provide for the regulation of interstate and foreign communications by wire or radio, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. DILL. Mr. President, I move that the Senate disagree to the amendment of the House, agree to the conference requested by the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. DILL, Mr. SMITH, Mr. HATCH, Mr. COUZENS, and Mr. WHITE conferees on the part of the Senate.

JOHN P. LEONARD

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H.R. 541) for the relief of John P. Leonard, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SHEPPARD. I move that the Senate insist on its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. SHEPPARD, Mr. LOGAN, and Mr. CAREY conferees on the part of the Senate.

WILLIAM G. BURRESS, DECEASED

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H.R. 2439) for the relief of William G. Burress, deceased, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SHEPPARD. I move that the Senate insist on its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. SHEPPARD, Mr. LOGAN, and Mr. CAREY conferees on the part of the Senate.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred or ordered to be placed on the calendar as indicated below:

H.R. 452. An act for the relief of Laura B. Crampton;
H.R. 529. An act for the relief of Morris Spirt;
H.R. 1792. An act for the relief of Michael Petrucelli;

H.R. 3243. An act for the relief of Harry E. Good, administrator de bonis non of the estate of Ephraim N. Good, deceased;

H.R. 4446. An act for the relief of E. E. Hall;

H.R. 4838. An act for the relief of the Massachusetts Bonding & Insurance Co., a corporation organized and existing under the laws of the State of Massachusetts;

H.R. 4952. An act for the relief of Theodore W. Beland;

H.R. 5109. An act for the relief of Joe G. Baker;

H.R. 5543. An act for the relief of T. Brooks Alford;

H.R. 5584. An act for the relief of William J. Kenely;

H.R. 5606. An act for the relief of W. R. McLeod;

H.R. 5835. An act for the relief of Ward J. Lawton, special disbursing agent, Lighthouse Service, Department of Commerce;

H.R. 5947. An act authorizing adjustment of the claim of the Western Union Telegraph Co.;

H.R. 6350. An act for the relief of Arthur Smith;

H.R. 6998. An act for the relief of Capt. Frank J. McCormack;

H.R. 7163. An act for the relief of the D. F. Tyler Corporation and the Norfolk Dredging Co.;

H.R. 7292. An act for the relief of the Boston Store Co., a corporation, Chicago, Ill.;

H.R. 7736. An act for the relief of Rocco D'Amato;

H.R. 7953. An act for the relief of the Dallas County Chapter of the American Red Cross;

H.R. 8108. An act for the relief of Jeannette Weir;

H.R. 8115. An act for the relief of May L. Marshall, administratrix of the estate of Jerry A. Litchfield;

H.R. 8328. An act for the relief of the heirs of C. K. Bowen, deceased;

H.R. 8587. An act to extend the benefits of the Employees' Compensation Act of September 7, 1916, to William Thomas;

H.R. 8650. An act for the relief of B. J. Sample;

H.R. 8688. An act for the relief of Stella E. Whitmore;

H.R. 8727. An act for the relief of the First State Bank & Trust Co., of Mission, Tex.; and

H.R. 9820. An act for the relief of the State of Nebraska; to the Committee on Claims.

H.R. 5668. An act authorizing the relief of the McNeill-Allman Construction Co., Inc., of W. E. McNeill, Lee Allman, and John Allman, stockholders of the McNeill-Allman Construction Co., Inc., and W. E. McNeill, dissolution agent of McNeill-Allman Construction Co., to sue in the United States Court of Claims; to the Committee on the Judiciary.

H.R. 6622. An act authorizing the Secretary of Commerce to lease certain Government land at Woods Hole, Mass.; to the Committee on Commerce.

H.R. 7121. An act authorizing the Secretary of the Treasury to pay Dr. A. W. Pearson, of Peever, S.Dak., and the Peabody Hospital, at Webster, S.Dak., for medical services and supplies furnished to Indians; to the Committee on Indian Affairs.

H.R. 7367. An act for the relief of Sarah Smolen; to the calendar.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had agreed to the amendments of the Senate to the bill (H.R. 9370) to authorize an appropriation of money to facilitate the apprehension of certain persons charged with crime.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 9323) to provide for the regulation of securities exchanges and of over-the-counter markets operating in interstate and foreign commerce and through the mails, to prevent inequitable and unfair practices on such exchanges and markets, and for other purposes.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

H.R. 5884. An act to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and acts amendatory thereof and supplementary thereto;

H.R. 7353. An act granting the consent of Congress to any two or more States to enter into agreements or compacts for cooperative effort and mutual assistance in the prevention of crime, and for other purposes;

H.R. 9323. An act to provide for the regulation of securities exchanges and of over-the-counter markets operating in interstate and foreign commerce and through the mails, to prevent inequitable and unfair practices on such exchanges and markets, and for other purposes; and

H.R. 9370. An act to authorize an appropriation of money to facilitate the apprehension of certain persons charged with crime.

RECIPROCAL-TARIFF AGREEMENTS

The Senate resumed the consideration of the bill (H.R. 8687) to amend the Tariff Act of 1930.

Mr. JOHNSON. Mr. President, I offer the amendment which was read from the desk a brief time ago.

Mr. CLARK. A parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. CLARK. In order that there may not be any further misunderstanding, or charges of bad faith, I desire to propound an inquiry. Under the special order adopted on last Friday, which provided that the Johnson amendment and other amendments dealing with agriculture should be disposed of without further debate after the hour of 12 o'clock today, the reception of the present amendment of the Senator from California precludes the reception of any further amendment to the bill dealing with agriculture, does it not?

The PRESIDENT pro tempore. The Chair does not so interpret the agreement. The Chair interprets the agreement to this effect: The pending amendment not dealing with agriculture, the debate on it will be limited to 10 minutes by any Senator.

Mr. CLARK. That was not the inquiry. The point to which I was addressing myself was that under the special order the Johnson amendment and all other amendments dealing with agriculture must be disposed of immediately following the hour of 12 o'clock.

The PRESIDENT pro tempore. Undoubtedly.

Mr. CLARK. If the amendment of the Senator from California shall be entertained, that will preclude in the future the offering of any further amendment dealing with agriculture.

The PRESIDENT pro tempore. Undoubtedly; but the Chair will state that he would not have recognized the Senator from California to present his amendment if any other Senator had desired to offer an amendment regarding agriculture.

Mr. CLARK. I propound that inquiry simply in order that there may not be any misunderstanding in the future as to the parliamentary situation.

Mr. McNARY. Mr. President, I can assure the Senator from Missouri that there is no misunderstanding. I think I know what is in the agreement, and at the proper time I shall meet the Senator from Missouri on that issue. For the present the Chair has ruled that the Senator from California is in order.

Mr. JOHNSON. Yes; but if the Senator will pardon me, there may be some other agricultural amendments to be offered, and I do not wish to cut off any Senator. So far as I am concerned, those amendments in which I was interested personally I presented. So I should prefer, if there are any other agricultural amendments to be offered, that they be presented now, in order that under the statement of the Chair, they be not ruled out.

Mr. ROBINSON of Arkansas. Mr. President, that is the requirement of the unanimous-consent agreement, and I give notice now that if other agricultural amendments are offered a point of order will be made against them.

Mr. McNARY. Mr. President, I contend, on the theory that I know what is in the agreement, which was entered

into fairly and in the best of good faith, that if agricultural amendments are offered they do not necessarily have to be debated in chronological order. They can come at any time during the afternoon.

Mr. ROBINSON of Arkansas. No, Mr. President. Will the Senator permit me?

Mr. McNARY. I will permit the Senator to say a word.

Mr. ROBINSON of Arkansas. I wish to point out to the Senator that the agreement is that on Monday, at not later than 12 o'clock noon, "the Senate proceed to vote without further debate upon the pending amendment or any other agricultural amendment that may be proposed." So that the language of the agreement contemplates, as suggested by the Senator from Missouri, that the agricultural amendments be disposed of immediately following 12 o'clock.

In all fairness, if there are other agricultural amendments to be offered, they should be presented before the amendment of the Senator from California [Mr. JOHNSON] shall be considered.

Mr. JOHNSON. Mr. President, is there any objection on the part of the distinguished leader on the Democratic side to my withdrawing my amendment temporarily and permitting someone else to present an agricultural amendment?

Mr. ROBINSON of Arkansas. No, Mr. President; I have no objection to that course being pursued. If there are other agricultural amendments to be presented, now is the time to present them.

Mr. JOHNSON. Very well.

Mr. McNARY. Mr. President, I shall give my interpretation of this unanimous-consent agreement. I had something to do with its framing. I have attempted to treat fairly the Democratic Members of the Senate, and particularly the leader of the majority and the chairman in charge of the bill. It was suggested in private conversation and on the floor of the Senate that after the agricultural amendments had been argued and others proposed that they were not subject to debate. That is the understanding. But if later in the afternoon some agricultural amendment shall be proposed which is now on the table, there is nothing to preclude a vote on that amendment without debate. That is the plain language of the agreement. It is the plain understanding. On that I shall insist.

Mr. HEBERT. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. HEBERT. I proposed an amendment on the 10th of May last. It provides for a limitation upon the application of this bill to commodities of which at least 70 percent of the value of materials employed therein are products of the farm, ranch, or dairy. The question arises in my mind whether that is to be considered an agricultural amendment or an amendment affecting industry. I should like to have the Chair give to the Senate his version on that question at this time, so that we may know how to proceed when that amendment shall be reached.

The PRESIDENT pro tempore. The Chair would hold that such an amendment would fall under the agreement with regard to agricultural amendments.

Mr. HEBERT. I did not understand the Chair.

The PRESIDENT pro tempore. The Chair would hold, if the question were submitted, that such an amendment would come under the agreement with regard to agricultural amendments.

Mr. HEBERT. May I say to the Chair that, to my mind, there was no such understanding in the unanimous-consent agreement entered into. The amendment to which I refer relates to commodities. It is true that the commodities referred to are those in which at least 70 percent of the value thereof are agricultural products. The amendment does not refer to agriculture except indirectly. The main purpose of the amendment is to protect products in industry and not in agriculture. I submit that the ruling of the Chair is not in accordance with the purposes of this bill nor in accordance with the unanimous-consent agreement entered into here last Friday.

Mr. FESS. Mr. President, a parliamentary inquiry.

Mr. JOHNSON. May it be understood that the time consumed in this discussion is not coming out of the time in relation to the amendment which I am endeavoring to offer and will ultimately offer.

The PRESIDENT pro tempore. The Chair understands that the Senator from California has refrained from offering his amendment pending the determination of the question whether or not there is to be any other agricultural amendment.

Mr. JOHNSON. Mr. President, that statement is correct.

The PRESIDENT pro tempore. The Senator from Ohio will state the parliamentary inquiry.

Mr. FESS. My parliamentary inquiry is, Would an amendment, if it included more than agriculture and included agriculture simply incidentally, be considered under the agreement an agricultural amendment?

The PRESIDENT pro tempore. The Chair ruled that, in his opinion, the amendment of the Senator from Rhode Island comes within the description of agricultural amendments in the unanimous-consent agreement.

Mr. ROBINSON of Arkansas. Mr. President, in answer to the Senator from Ohio, the original amendment of the Senator from California [Mr. JOHNSON] included also horticultural products, so that it is perfectly clear to my mind that the ruling of the Chair is correct. The intention of the unanimous-consent agreement was to limit debate, as provided in the agreement, on amendments the primary object of which was to make an exception of commodities or materials grown on the farm. The Johnson amendment contained a provision relating to such materials. The Senator from Rhode Island may present his amendment and have it voted on. The effect of the agreement, as I interpret it, is to prevent further debate.

Mr. HEBERT. Mr. President, if I may be permitted further, in order that there may be no misunderstanding about the purpose of the amendment which I desire to propose, let me read the first paragraph of it:

Sec. 5. (a) Commodities of which at least 70 percent of the value of the materials employed therein are products of the farm, ranch, or dairy shall be exempted from all pending or contemplated reciprocal trade agreements with foreign governments or instrumentalities thereof under the authority of this act.

I submit, Mr. President, that that does not have any effect upon agricultural commodities. It affects industry purely and simply. It says in effect—

Mr. HARRISON. Mr. President, I call for the regular order.

Mr. HEBERT. Mr. President, I am arguing the point of order, and I contend I have the right to argue it.

Mr. HARRISON. The point of order as yet has not even been made. The Senator from Rhode Island has not as yet offered his amendment.

Mr. HEBERT. I shall offer my amendment, Mr. President, in due time. I want a ruling by the Chair. I desired to submit to the Chair my observations upon the purpose of this amendment, which I think has been misinterpreted by the Chair.

Mr. HARRISON. Mr. President, may I suggest to the Senator from Rhode Island that if he wants to offer his amendment he can do so and then argue his point of order, but I submit that at the present time he is out of order.

The PRESIDENT pro tempore. The Chair sustains the point of order. There is nothing before the Senate at the present time.

Mr. HEBERT. I now offer my amendment, Mr. President.

The PRESIDENT pro tempore. The Senator from Rhode Island offers an amendment, which will be stated.

The CHIEF CLERK. It is proposed, on page 6, after line 16, to insert the following new section:

Sec. 5. (a) Commodities of which at least 70 percent of the value of the materials employed therein are products of the farm, ranch, or dairy shall be exempted from all pending or contemplated reciprocal trade agreements with foreign governments or instrumentalities thereof under the authority of this act.

(b) Nothing in this act shall restrict the powers of the President conferred upon him by section 3 (e) of the National Industrial Recovery Act and/or the powers to reduce or increase tariff rates conferred upon him under section 336 of the Tariff Act of 1930.

Mr. HEBERT. Mr. President—

Mr. HARRISON. Does the Senator desire to debate the amendment?

Mr. HEBERT. Yes.

Mr. HARRISON. I raise the point of order that under the agreement the Senator cannot debate that amendment.

The PRESIDENT pro tempore. The Chair sustains the point of order.

Mr. McNARY. Mr. President, I want to be heard before the ruling is made by the Chair.

Mr. BORAH. Mr. President, may I make a suggestion on the point of order? We will likely spend more time on the point of order than will be consumed in debate. I believe we will save time if by unanimous consent we give the author of the amendment 10 minutes to discuss it. No one else, I suppose, cares to discuss it, but the author might want the time to explain it.

Mr. McNARY. Mr. President, I want to discuss the point of order.

The PRESIDENT pro tempore. The Senator from Rhode Island has the floor.

Mr. HEBERT. Mr. President, I yield to the Senator from Oregon.

Mr. McNARY. If the Senator from Mississippi desires to permit the Senator from Rhode Island 10 minutes to explain his amendment I shall not discuss the point of order.

Mr. BLACK. Mr. President, will the Senator yield?

Mr. McNARY. I yield.

Mr. BLACK. I ask unanimous consent that the Senator from Rhode Island [Mr. HEBERT] be given 10 minutes in which to explain his amendment in order that we may proceed.

Mr. HARRISON. Mr. President, reserving the right to object, I would have no objection in the world to the Senator from Rhode Island explaining this amendment for 10 minutes. But if similar requests are going to be made with reference to every amendment that shall be offered here we will have a request when 5 o'clock comes to carry the vote on the bill over beyond that time. So it seems to me that inasmuch as we entered into the agreement we ought to abide by it, and if the Senator feels that the Chair is wrong he can take an appeal from the ruling of the Chair.

Mr. HASTINGS. Mr. President, that will take longer than 10 minutes.

Mr. McNARY. Mr. President, I am as certain as I am of anything in the world that the interpretation by the Senator from Mississippi [Mr. HARRISON] is out of line with the understanding expressed in the unanimous-consent agreement, as well as the colloquy we had on Thursday of last week, and it is extremely unfair. To that point I shall address myself.

Mr. HARRISON. Mr. President, I shall not object to the unanimous-consent request that the Senator from Rhode Island [Mr. HEBERT] may speak 10 minutes on his amendment, but I serve notice that I shall object to any further violation of the agreement.

The PRESIDENT pro tempore. Is there any objection to the unanimous-consent request of the Senator from Alabama [Mr. BLACK]? The Chair hears none. The Senator from Rhode Island has 10 minutes on his amendment.

Mr. HEBERT. Mr. President, I have already read the pertinent part of this amendment. It provides that—

Commodities of which at least 70 percent of value of the materials employed therein are products of the farm, ranch, or dairy shall be exempted from all pending or contemplated reciprocal trade agreements with foreign governments.

Let me state for the information of the Senate what the application of this amendment will be in relation to the provisions of the pending bill. In the case of cotton textiles it will apply 100 percent, of course, because the basic material out of which cotton textiles are manufactured is cotton.

In the case of wool that is equally true, unless some other material enters into the construction of the fabric, but if it be all wool, then more than 70 percent of the value of the materials entering into the fabrication of the article are

farm products, and so it will be exempt from the operations of this bill.

Take the case of cotton textiles, made up in part of silk. The question would arise as to whether or not 70 percent of the content of such textiles was composed of cotton produced on the farm. In the event there was sufficient silk in the manufacture of the article to reduce the value of the cotton content below 70 percent, then the article would not be subject to the operation of this measure. Where an article is manufactured of silk and wool again the question would arise as to whether or not there was 70 percent wool content. The operation of this amendment would affect all dairy products, because, manifestly, there is nothing else in them except the products of the farm. All prepared foods would be subject to the operation of this amendment.

Mr. President, I had in mind in the formulation of this amendment more particularly the condition of the textile industry. In that connection I wish to call the attention of the Senate to a statement which was published in the public press on yesterday emanating from the Administrator of the N.R.A., General Johnson, in relation to the cotton textile industry, concerning which I know Senators are aware there was a serious condition recently. He said this:

Including the processing tax, raw cotton costs have increased 150 percent. There has been a 70-percent increase in labor costs, due to the code and other influences, and an increase of 94 percent in cost of labor, material, and supplies in cotton textiles.

Manifestly, it would not be just to the cotton textile industry, under existing conditions, to enter into any reciprocal trade agreements which would have the effect of reducing the protection now accorded to that industry under the tariff law of 1930. I quote further from General Johnson's statement:

A very clear cause of decreased consumption is this increased cost and increased prices which flow from it.

General Johnson realized that because of the operation of the N.R.A. the cost of cotton textiles has been materially increased and that due regard must be had to the condition of that industry at this time.

In this situation any such increase in cost would paralyze production and employment and defeat the very ends aimed at.

I submit, Mr. President, that that is a frank statement of the situation as it exists in the cotton-textile industry at the present time. General Johnson recognizes that any increase in cost of textiles would paralyze production and employment and defeat the very ends aimed at.

He goes on to say:

The course of negotiations has not been helped by the concurrent newspaper debate between the parties to them. Fairness to N.R.A. and to a great industry and to its accomplishments for labor under the N.R.A. compels me to correct several inaccurate statements which appeared in news dispatches yesterday and which were attributed to officials of the United Textile Workers.

A statement that the administration of the cotton-textile code, "through lack of enforcement, has brought it to a point of pre-code conditions" is simply without foundation in fact. I know of no code under the N.R.A. that is administered more conscientiously and more effectively than this code has been and is being administered by its code authority.

The statement that wages "have been forced down to lower than ever before" is equally unfounded. The very opposite is true. The record shows that the present hourly wage rate as well as weekly earnings adjusted to living costs (real wages) have reached and passed the highest 1929 level.

Mr. President, I submit that any industry which merits such encomium from the Director of the N.R.A. is entitled to all the protection that it is possible for the Congress to accord to it.

Mr. HARRISON. Mr. President, will the Senator yield for a question?

Mr. HEBERT. I yield to the Senator.

Mr. HARRISON. Does the Senator appreciate that if his amendment should be adopted, first there would have to be ascertained whether 70 percent of the value of the materials employed therein are products of the farm, ranch, or dairy, and that it would therefore take an indefinite

period to ascertain that fact; and so the amendment would destroy the effect of what we are trying to do?

Mr. HEBERT. I know that argument has been advanced many times.

Mr. HARRISON. It is a good argument.

Mr. HEBERT. It has been advanced in the case of the operations of the present Tariff Commission. I concede that there is some difficulty involved in establishing those costs, but it is not impossible; and I venture to say that if the Tariff Commission had functioned as it was anticipated by the Congress it would function, we should have had much better results from its operations than we have had.

Mr. WALSH. Mr. President, will the Senator from Rhode Island yield for a question?

Mr. HEBERT. I yield to the Senator from Massachusetts.

Mr. WALSH. Will the Senator enumerate how many commodities will be embraced under section 5 (a) of his amendment and what the nature and character of those commodities are?

Mr. HEBERT. Mr. President, the Tariff Commission furnished me that information. It is, however, a subject which would take up more time than I have at my disposal under the limited arrangement under which I am permitted to discuss my amendment.

Mr. WALSH. I appreciate that. Will the Senator print the information I have requested in connection with his remarks?

Mr. HEBERT. I may say, for the information of the Senator, that it includes—

Mr. WALSH. Mr. President, I express the hope that this time may be charged to me rather than to the Senator from Rhode Island.

Mr. HEBERT. Mr. President, I shall be glad to insert in the RECORD at this point in my remarks, for the information of the Senator, that which he desires, if that will serve his purpose.

Mr. WALSH. I thank the Senator.

The PRESIDENT pro tempore. Without objection, the matter will be printed in the RECORD.

The matter referred to is as follows:

COMMODITIES OF WHICH 70 PERCENT OR MORE OF THE VALUE OF THE RAW MATERIALS USED IS FROM THE FARM, RANCH, OR DAIRY

Schedule 1. Chemicals, oils, and paints:

Paragraph 4. Alcohols.

Paragraph 9. Argols.

Paragraph 19. Casein.

Paragraph 33. Compounds of casein.

Paragraphs 34 and 35. Crude drugs advanced in value.

Paragraph 36. Cocoa leaves and digitalis.

Paragraph 41. Gelatin and glue.

Paragraph 48. Citrate of lime, etc.

Paragraph 51. Menthol and camphor.

Paragraph 52. Animal oils and greases.

Paragraphs 53 and 54. Vegetable oils.

Paragraph 58. Certain essential and distilled oils.

Paragraph 59. Opium.

Paragraph 80. Soap and soap powder (to the extent made from animal and vegetable oils).

Paragraph 83. Starch.

Paragraph 84. Dextrine and chemically treated starch.

Paragraph 92. Vanilla and tonka beans.

Schedule 5. Sugar, molasses, and manufactures of: (All items in schedule of agricultural raw materials.)

Schedule 6. Tobacco and manufactures of: (All items in schedule of agricultural raw materials.)

Schedule 7. Agricultural products and provisions: (All items in schedule of agricultural raw materials.)

Schedule 8. Spirits, wines, and other beverages: (All items in schedule of agricultural raw materials, except ginger ale and mineral waters.)

Schedule 9. Cotton manufactures: (All items in schedule of agricultural raw materials.)

Schedule 10. Flax, hemp, jute, and manufactures of: (All items in schedule of agricultural raw materials.)

Schedule 11. Wool and manufactures of: (All items in schedule of agricultural raw materials.)

Schedule 12. Silk manufactures: (All items in schedule of agricultural raw materials.)

Schedule 15. Sundries:

Paragraph 1502. Golf balls, tennis balls, etc.

Paragraph 1504. Braids, plaits, hats, etc., of straw, etc.

Paragraph 1507. Bristles.

Paragraph 1518. Feathers and downs and manufactures of.

Paragraph 1529. Laces, embroideries, etc.

Paragraph 1530. Hides and skins, leather footwear, etc.

Schedule 15. Sundries—Continued.

- Paragraph 1531. Bags, baskets, etc., of leather.
 Paragraph 1532. Leather gloves.
 Paragraph 1537. Manufactures of bone, chip, straw, etc.
 Paragraph 1548. Peat moss.
 Paragraph 1556. Beeswax.

Schedules for which no items have been included in the above tabulation are: Schedule 2, earthenware, and glassware; schedule 3, metals and manufactures of; schedule 4, wood and manufactures of; schedule 13, manufactures of rayon or other synthetic textile; and schedule 14, papers and books.

Mr. HEBERT. Mr. President, I have before me an article which appeared in the Herald Tribune of yesterday which discusses most intelligently the foreign trade of the United States as it affects the textile industry, and its exportations to the Philippine Islands. I desire to quote from that article only briefly.

The PRESIDENT pro tempore. The time of the Senator from Rhode Island has expired.

Mr. HEBERT. Mr. President, may I be permitted to insert certain portions of the article I was about to quote in my remarks?

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

TYPICAL OF GENERAL CONDITIONS

There is an American end to the matter which indicates that the Philippine case is typical of a general condition affecting the whole of American export trade. American cotton manufacturers are unable to compete with Japanese cotton manufacturers in Central and South America, in South Africa, or in most other countries where American cottons have long been sent in comparatively large volume. They are unable to compete with Japanese goods in the Philippines even behind the high Philippine tariff wall. The cause is high prices in the United States.

These high prices exist in spite of the fact that there has been so great an overproduction by American mills as to necessitate a 25-percent reduction in production allotments, even at a time when some mills are running only 2 or 3 days a week. The explanation of high prices in connection with overproduction is high wages under the code system. The superiority of American workmen over Japanese workmen may be conceded, although this is far less under modern cotton-mill organization in Japan than has been generally ascribed, but it ought to be evident that American mills with a \$14.76 wage base for a 30- to 40-hour week cannot compete with Japanese mills with a \$9 or \$10 wage base for an 84-hour week.

ATTEMPTING THE IMPOSSIBLE

This raises the more general question of how the authorities in Washington can expect to increase the foreign trade of the United States in face of increasing wages and other manufacturing costs. There is the possibility that, in spite of high wages, actual manufacturing costs may be kept low in comparison with those of other countries by improved machinery and other manufacturing facilities, but the fact is that in some lines other countries are employing machinery and manufacturing facilities fully as advanced and quite as efficient and economical as those used in the United States.

Increased exports of American products so far the current year as compared with the same period last year have been entirely in those lines in which the United States has a distinct competitive advantage either by reason of its policy of mass production, its natural resources, or its geographical position. In other commodities there has been stagnation or retrogression.

In lines which are strictly competitive high wages under the code system effect a definite disadvantage for American manufacturers in the export trade which general manufacturing efficiency has little prospect of overcoming. This is already evident in the cotton-goods trade, in spite of American advantages in the way of raw materials. It is becoming more and more evident in other lines such as iron and steel, flour and rubber manufactures. The N.R.A. code system and foreign trade, in short, are pointed in the opposite directions, and in attempting to make them work together the authorities in Washington are attempting the impossible.

RECIPROCAL TREATIES INSUFFICIENT

How far reciprocal trade treaties may be expected to remedy this situation is very questionable. It is reasonable to assume that, as between nations producing upon a comparable-cost basis, reciprocal tariff concessions may afford a worth-while, although very temporary, advantage to the nations concerned in commodities in which either may specialize. It is quite as unreasonable to assume, however, that any such reciprocal trade arrangements can be sufficient to overcome the difference between basic manufacturing conditions of the sort that exists between Japan and the United States under the code system.

TRADE SHOT TO PIECES

In January 1933 Japan's share was only 21 percent of the island's cotton piece-goods trade as compared with 73 percent for the United States. By December 1933 the proportion had changed

to 58 percent for Japan and 31 percent for the United States. There was a slight recovery in American shipments in the pre-Easter period of the current year, but the recovery was temporary, and the latest Government reports indicate that Japanese competition has again come to dominate the trade, forcing down prices, eliminating American goods in the lower grades, and piling up stocks to further depress prices.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Rhode Island.

Mr. HASTINGS and Mr. HEBERT asked for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. OVERTON (when his name was called). On this vote I have a pair with the senior Senator from Utah [Mr. KING]. Not knowing how he would vote, I withhold my vote. If permitted to vote, I should vote "yea."

Mr. ROBINSON of Arkansas (when his name was called). Announcing the same pair and transfer as on the previous vote, I vote "nay."

Mr. STEPHENS (when his name was called). Making the same announcement as before regarding my pair and transfer, I vote "nay."

The roll call was concluded.

Mr. FESS. Making the same announcement as heretofore with reference to my pair, I withhold my vote. If permitted to vote, I should vote "yea."

Mr. LEWIS. I rise to announce that were the Senator from West Virginia [Mr. NEELY] present he would vote "nay."

Mr. PATTERSON (after having voted in the affirmative). My general pair the junior Senator from New York [Mr. WAGNER] is unavoidably absent from the Chamber. I am therefore compelled to withdraw my vote.

Mr. HEBERT. The senior Senator from Pennsylvania [Mr. REED] is necessarily absent. If present, he would vote "yea."

Mr. HATFIELD (after having voted in the affirmative). I inquire if the senior Senator from Florida [Mr. FLETCHER] has voted?

The PRESIDENT pro tempore. That Senator has not voted.

Mr. HATFIELD. I have a general pair with that Senator. In his absence I withdraw my vote.

Mr. LEWIS. I wish to announce that the Senator from South Dakota [Mr. BULOW], the Senator from Arizona [Mr. ASHURST], the Senator from Florida [Mr. FLETCHER], the Senator from Texas [Mr. CONNALLY], and the Senator from Louisiana [Mr. LONG] are detained on official business.

On this question the Senator from Arizona [Mr. ASHURST] is paired with the Senator from Louisiana [Mr. LONG].

The result was announced—yeas 26, nays 52, as follows:

YEAS—26

Adams	Frazier	Kean	Steinwer
Austin	Gibson	Keyes	Townsend
Barbour	Goldsbrough	McCarran	Vandenberg
Borah	Hale	McNary	Walcott
Carey	Hastings	Metcalf	White
Davis	Hebert	Nye	
Dickinson	Johnson	Schall	

NAYS—52

Bachman	Coolidge	Hayden	Robinson, Ark.
Bailey	Copeland	La Follette	Russell
Bankhead	Costigan	Lewis	Sheppard
Barkley	Couzens	Logan	Shipstead
Black	Cutting	Loneragan	Smith
Bone	Dieterich	McGill	Stephens
Brown	Dill	McKellar	Thomas, Okla.
Bulkeley	Duffy	Murphy	Thomas, Utah
Byrd	Erickson	Norris	Thompson
Byrnes	George	O'Mahoney	Tydings
Capper	Gore	Pittman	Van Nuys
Caraway	Harrison	Pope	Walsh
Clark	Hatch	Reynolds	Wheeler

NOT VOTING—18

Ashurst	Glass	Neely	Robinson, Ind.
Bulow	Hatfield	Norbeck	Trammell
Connally	King	Overtton	Wagner
Fess	Long	Patterson	
Fletcher	McAdoo	Reed	

So Mr. HEBERT's amendment was rejected.

The PRESIDENT pro tempore. May the Chair announce that under his understanding of the unanimous-consent

agreement he feels he should recognize first any Senator having a so-called "agricultural amendment" to offer, and therefore he will ask the leader of the minority whether there are other Senators who have agricultural amendments to offer?

Mr. McNARY. Mr. President, I intimated a while ago that I am not wholly in accord with the present occupant of the chair in his understanding. Later on some Senator, not now present, who has an agricultural amendment to offer ought not to be precluded from offering it because he is not present at this particular moment. That is clearly the intention and that is clearly the language of the unanimous-consent agreement. When the proper time comes I shall be glad to discuss the matter with the present occupant of the chair.

Mr. JOHNSON. Mr. President, I offer the amendment which I send to the desk.

Mr. BLACK. Mr. President, will the Senator yield?

Mr. JOHNSON. For what purpose?

Mr. BLACK. In order that I may ask to have something inserted in the RECORD.

The PRESIDENT pro tempore. The Chair must insist on carrying out the unanimous-consent agreement and enforcing the rule. The Senator from California may not yield for that purpose.

Mr. JOHNSON. The Chair has held that I may not yield; so, being under a very strict limitation and under a very strict ruling, I shall proceed with the amendment that is mine. Will the clerk read the amendment?

The PRESIDENT pro tempore. The clerk will read the amendment offered by the Senator from California.

The CHIEF CLERK. It is proposed, at the end of the bill, to insert the following new section:

SEC. —. No foreign trade agreement entered into under the provisions of this act shall become effective until submitted to the Congress and specifically approved by law.

Mr. JOHNSON. Mr. President, for the brief period of 10 minutes let me see whether I can arouse in the United States Senate something it has had in its glorious past and of which it has ever been proud. Let us see if it is not possible, even here, where there is an edict presented to us by various departments of the Government, to have some regard for our own selves, for the position we hold, for the oath we took when we came into this body, and for the powers and prerogatives which have been here reposing in this body ever since there has been a United States Senate at all.

The amendment which I have offered, sir, seeks to preserve to this body the right to pass upon the treaties which shall be made by the President of the United States under the provisions of the bill. An awful thing is that to do! Senators will remember that it was tyranny when a flexible provision of the tariff was suggested in 1929. Then a little flexible provision in the tariff law was tyranny; today, when it is proposed not only to give flexibility to the tariff law but to empower the Executive to do just exactly as he pleases with our taxing power, it is freedom—freedom instead of tyranny.

Here is the opportunity for us to decide whether we are going to act in accordance with the traditions of this body, whether we are going to preserve the authority which has been ours during all these years, whether we are going to be United States Senators, or whether we are simply to register the will of a couple of executive departments of the Government.

Mr. DILL. Mr. President—

Mr. JOHNSON. No; I cannot yield. I have not time.

Mr. DILL. I want to ask the meaning of the Senator's amendment.

Mr. JOHNSON. I am endeavoring to state it. I am doing the best I can to make plain that I want to have come back here to the Senate the agreements which may be entered into, to be passed upon then by the Senate of the United States. That is the simple purpose of the amendment. If its language does not accomplish that purpose, I should be glad to accept any amendment that may be suggested with that object in view.

Mr. DILL. The Senator says "by law." That is why I asked the question.

Mr. JOHNSON. I repeat, I do not know a better suggestion that could be made than to use the expression "by law."

Mr. DILL. Does that mean we must have a separate statute enacted?

Mr. JOHNSON. No; but we must have separate action on it just as we have upon any statute or any act or any particular determination by the Congress of the United States, and I shall accept any amendment which will preserve the purpose that may be desired. I cannot yield otherwise because of the limitation under which I rest.

Mr. President, it is asserted that we ought not to give this power to the Congress of the United States because it is claimed that an emergency exists, and there must be immediate action on the part of the Executive in order to accomplish the design of the bill. It is asserted to us again and again and again that that emergency existing, and the necessity for quick action being here, we cannot do anything that may delay matters in the slightest degree, even though we deprive the Senate and the Congress of all the powers they may have had in the past. Not so, sir—not so. The testimony of Mr. Wallace that is before me here tells us that they are going to move slowly; they are going to take great time, and yet they are going to move with wisdom, and not with the celerity and alacrity that will require action overnight. The testimony of Dr. Sayre is of like character; and then he goes into detail as to how these agreements are acted upon in various other nations of the earth.

Of course, reciprocal agreements are provided for by executive power in other nations; granted, but sir, parliamentary action as well is required in many of those countries. In the one whose government is comparable to, though not like ours at all, Dr. Sayre states, on page 365 of the testimony that was given in the House:

In England, reductions made in the course of agreements may become provisionally effective, subject to the agreement being placed before Parliament, which has 28 legislative days within which to indicate disapproval.

The Parliament of Britain has 28 days in which to indicate its disapproval. The Congress of the United States has not 28 seconds in which to register its will or its disapproval. What I ask for, sir—limit it to 30 days, if you will, in this agreement; limit it as the Senator from Washington [Mr. DILL] may desire in the expressions that may be used; I do not care—I want the particular amendment to require that these agreements shall come back to the Congress of the United States in order that within 30 days—if Senators wish it, within 28 days—if we are so jealous of the powers of Parliament that we must act as Parliament in Britain does, we must express our disapproval, and if they be granted that 28 days, and we be granted our 28 days, perhaps we can act in accordance with the desires that may be essential on the part, either of the Executive or of those entering into these agreements.

I have listened today to the arguments that have been made about exports. Why, one would think, sir, that we could not export again from this country without having a reciprocal trade agreement—a reciprocal trade agreement that is going to bring the millennium so far as our export trade is concerned. Do Senators realize that since 1919 the other nations of the earth have been padding their tariffs just in readiness for this day? That is the report that is here, the official report of the Tariff Commission of the United States, that all the other nations of the earth since 1919 have been erecting their barriers, padding their tariffs, waiting for reciprocal agreements from only one source, of course—the United States of America. Do Senators fondly believe that they, when we enter into a reciprocal agreement with them, will do aught else than give us their padding and take from us sacrifices of our particular products?

Again, we talk of the N.R.A., and we fought for it here. We believe that it brings a new deal. It is bringing higher wages. It is bringing less hours of employment. It is bringing, it is true, higher prices as well, and then we enter into a

reciprocal agreement with a foreign country in which they may come into an inefficient industry in this land, practically eliminate and destroy it, and do the exact antithesis of what we were designing to do by the N.R.A.

But the vice of the situation that is presented is far greater than that. What is presented to us today is the abandonment of the fundamental principle upon which this Government rests. What is asked of us today is the supine surrender of what the Senate ever has done and ever ought to do, if it remains a Senate, with its decent regard for its oaths, and its regard, indeed, for its time-honored practices, its traditions of the past, and the service it may render to the country in the future. We are asked to surrender that by this bill. Ought we to do it?

I do not argue the constitutionality of the question. That is far beyond me at the moment. I argue the policy of the question, and when I ask Senators to send back these reciprocal agreements to the Congress for a determination by them as to what they shall do, I am asking, not alone that the Constitution be obeyed, but that popular government shall be preserved in this land, and preserved as it has ever existed here.

Mr. DILL. Mr. President, I asked the Senator from California the question I did because I think his amendment is susceptible of a number of constructions. I do not quite understand the words "approved by law." Evidently, the Senator's intention is to require that the reciprocal trade agreements shall be voted on by the Congress. It might be construed that they must have a two-thirds vote. It might be construed that we must pass a statute specifically approving them.

I had hoped that the language of an amendment of this kind would provide that the trade agreements should be submitted back to the House and Senate, and should not go into effect until they were approved by a majority of both Houses, that vote to be taken within a limited time, say 5 or 10 days.

The objection is continually made to the proposal that if these trade agreements shall come back to the Senate and the House for a vote, it will be such a long time before the matter is disposed of that we shall never get any action. I think there is much merit in that objection. I think the bill should contain a specific provision that these trade agreements shall come back to the House and Senate in a message from the President and be voted on within a specified time, not to exceed 5 or 10 days, and, if approved by a majority of both Houses, shall be effective.

I have not discussed this bill since it has been before the Senate. I do not approve of this proposed legislation. I shall vote against this bill unless some such provision as this is inserted in it. I am opposed to granting the power to control the tariffs of the United States on products competing with the products of the people of the United States, without any voice on the part of Congress.

I do believe that it may be possible for the President of the United States to make reciprocal trade agreements that would be to the advantage of the people of this country and of foreign countries. I am not willing, however, that he alone shall be the judge of that advantage. I should like to give him the power to enter into these agreements, and, once he has entered into them, to submit them to the House and the Senate to be voted on within a limited specified time, and by that vote to determine whether or not they shall go into effect.

Such a provision would make this proposal really constructive and helpful in the readjustment of our tariff situation. I cannot vote for this amendment in its present form, although I think I approve of the purpose of the Senator from California.

Mr. JOHNSON. Mr. President, will the Senator yield for a question?

Mr. DILL. I yield to the Senator.

Mr. JOHNSON. Will not the Senator, during the period he may have when this matter is being discussed, frame an amendment such as he would favor?

Mr. DILL. I shall be very glad to do so.

Mr. HARRISON. Mr. President, I admire the enthusiasm and the persistency and the fine personality and the ability of the distinguished senior Senator from California [Mr. JOHNSON]. When he starts to talk about agreements and about protection for some commodity he is strikingly enthusiastic.

If this amendment should be adopted, it would mean the defeat of the whole proposal. It would destroy the whole plan. It would mean that these agreements must be submitted to the Congress here to be traded in and between, and so forth. No one would ever know when the agreements would be adopted. The amendment would shackle the representatives of this Government in their negotiations to obtain some concession that might empower us to sell some of our surplus goods abroad.

Mr. President, one of the objects of this whole measure is to furnish to the President an instrumentality by which he may combat the governments which are sitting day and night in an effort to obtain reciprocal trade agreements for their benefit and against our trade and against our commerce.

Since the 1st day of January 69 reciprocal trade agreements have been entered into between the foreign countries of the world. If we put into this bill a provision that every agreement must come back to Congress, we shall not get any results. We all expect Congress to adjourn in anywhere from a week to 3 or 4 weeks. Then we shall be away until January, and these agreements will have to wait. How can the representatives of the Government guarantee that the Congress will approve whatever they do?

Mr. President, this bill gives to the President for 3 years the power to build up our trade and our commerce. It is an extraordinary power, but it is one of the steps on the road to recovery. We cannot get anywhere, however, if we shackle the President and require that these agreements shall come back here for approval.

This is not the first time we have done what is proposed in this bill. As has previously been pointed out in the debate, in the Dingley bill, under the leadership of the Republican Party, there was written into law such provision. In the McKinley bill, under the leadership of the Republican Party, the President was given power to negotiate trade agreements without coming back to Congress with them for approval.

The record shows that under the provision which gave to the President the power to negotiate reciprocal trade agreements, without the necessity of bringing them back to Congress, he did negotiate many of them to the advantage of this country, and in other instances where the trade agreements or the treaties had to come back to the Congress, not one was ratified by the Congress.

I submit, Mr. President, that if we are to pass this legislation, we should not pass it with this amendment included in it, because the amendment would destroy its effect. It would mean no legislation at all if the agreements had to be brought back to the Congress, and only those Members of the Senate who are opposed to the proposed legislation are voting for this particular amendment, because they know what its effect would be.

Mr. VANDENBERG. Mr. President, the Senator from Mississippi sums his entire appeal against this amendment in his prayer that there shall be no shackles upon the use of this extraordinary, tyrannical, dictatorial power over the life and death of American economy. He unfortunately concentrates upon the word "shackles." He pleads that Executive authority be unshackled, and that the Congress instead shall assume and wear these bonds.

Mr. President, it strikes me that legislative government, under this new dispensation, is gradually ridding the Executive of so many shackles, if that be the correct descriptive word, that there is precious little ordered democracy left. Is there no point at which this sinister trend shall cease?

At the other end of the Capitol the rulers have gotten rid of all their shackles within the last few days and have put deliberative government in chains. Here in this body our managers have gotten rid of most of their shackles, under this unanimous-consent agreement, to such an extent,

indeed, that the distinguished Senator from California was unable even to speak to his own amendment this morning, under the throttling process through which we now operate. There are still shackles, but they are chiefly worn by Congress—and the people.

Shackled! When we tried to ask for public hearings ere a sentence of death should be passed on American industry or agriculture under the terms of the pending tariff bargaining bill we were told that we must not shackle these tariff manipulators, who, behind closed doors, are proposing to deal as they please with industry and agriculture under the flag, deciding for themselves what commodities are entitled to survive and what shall be marked for slaughter. Nothing said about the rights of American labor and American agriculture and American commerce. Shackles for them. But, oh, we must not shackle our overlords!

When we asked to see the so-called "Colombian bargaining treaty"—which is supposed to be a model for the type of tariff agreement which we are here authorizing—we were told that the fact may not be disclosed. Shackles for the Senate—and the treaty power which the fathers and the founders gave it 140 years ago! No shackles for the State Department and the extra-legal executive policy committee which is now to exercise our tax and treaty powers.

When, in perfecting this tariff bargaining bill, we asked provision for notice to the American commodities affected, we were told that this would shackle the operation of this bargaining process in which our bright young men are to undertake to try their untried wits with foreigners who have been experts in this bargaining business for the last 15 years.

Every time any proposal is submitted which undertakes to bring even a modicum of textual protection back to the men and women and the workmen and the farmers of this Nation who have their all at stake in respect to the operation of this tariff process we are told that there must be no shackles. Strange language in a republic. Amazing apostrophe in a democracy. And this was once a government of laws rather than of men.

Mr. President, I think it is about time that there were a few shackles restored to our administrators in the name of elementary constitutionalism. It is time to stand fast for some essential fundamentals of American tradition and of the American system. Restraints, under that system, are intended for the masters. Zeals, under that system, primarily defend the common freedom of the throng.

We need a few shackles upon the exercise of tariff powers by one man who has the entire destiny of America in his hands when he exercises that power. As has been well said, such power should not be wanted by a good man, and should not be allowed to any other. This, in theory at least, is still the Republic.

What is democracy, if it does not involve a few "shackles", to use the tell-tale word of the Senator from Mississippi—shackles upon the exercise of dynastic, dictatorial power that can wreck those who may be the victims of its exercise?

How long has it been since we have had to rid high authority of all shackles under the American flag in order to persist and progress? Thus does Mussolini and fascism. Thus does Hitler in Germany. But this, I repeat, is the United States.

I rise in complete accord with the amendment submitted by the Senator from California. You have denied us a chance to be heard in public with respect to these contemplated tariff changes. You have denied us a chance to have the affected commodities dependably notified ere a death sentence shall be passed upon them. You have denied us a chance to exempt agriculture, although you tell us that nothing is going to happen to agriculture. You deny us a chance to put a single, solitary protecting word in this legislation, and then, because a final exercise of the fundamental, traditional, constitutional power of the Senate of the United States is submitted by the Senator from Cali-

fornia, you tell us we must not put shackles upon this economic dictatorship.

Mr. President, it is in the name of just one last, lingering shackle in behalf of democracy that I support the amendment submitted by the Senator from California.

Mr. O'MAHONEY. Mr. President, I think I may not be counted as one of those opposed to the pending legislation.

Quite to the contrary, I believe in the bill and I shall support it.

This measure is probably the last barrier between this country and a thorough-going policy of economic isolation. It may be that such a policy is inevitable and wise, but the history of the world has been the history of the development of international trade. Before we turn aside from this history and embark upon a new course we should make at least one effort to revive our foreign trade. Only by clothing the President with the power prescribed in this measure can that be accomplished.

That the President will use the power wisely, for the benefit of all our people, I am sure no one will deny. Efforts to arouse fears will fail. Efforts to divert attention from the terms and purposes of the bill and to embarrass its supporters will likewise fail. All the energies of the President have been directed to improving the condition of our people and particularly to improving the condition of those engaged in agriculture. Their faith in him will not be disturbed.

I cannot, however, avoid the conclusion that the argument presented by the Senator from California is well founded. As a representative from one of the sovereign States of this Union, I cannot help feeling that the people of that State have the right to have any agreement which may be reached under the provisions of this bill presented to the Congress before it shall become effective.

In harmony with the suggestion which has been made by the Senator from California that he is willing to accept perfecting amendments, I send to the desk an amendment in the nature of a substitute for his amendment.

The PRESIDENT pro tempore. The clerk will read the amendment in the nature of a substitute.

The CHIEF CLERK. In lieu of the amendment of Mr. JOHNSON, it is proposed at the end of the bill to insert the following:

Every proclamation of the President under this act shall be submitted to the Congress while in session, and shall not become effective until the expiration of 30 calendar days after such submission, unless Congress shall by a majority vote of both Houses provide for an earlier effective date of such proclamation: *Provided*, That if Congress shall adjourn before the expiration of 30 calendar days from the date of such submission, such proclamation shall not become effective until after the expiration of 30 calendar days from the opening day of the next succeeding regular or special session.

Mr. O'MAHONEY. Mr. President, I may say that the language of the proposed substitute is practically identical with the language in the Treasury and Post Office Appropriation Act approved March 3, 1933, by which the President was given the authority to merge executive branches of the Government. The President has the right by Executive order to combine bureaus, but such Executive order may not become effective until it shall be presented to Congress.

I can see that under the provisions of the amendment as presented by the Senator from California it would be altogether possible for the Congress, by means of parliamentary procedure, to delay and to kill any reciprocal-tariff agreement, but under the provisions of the substitute which I have offered it would be possible to obtain expeditious action, and any effort, by filibuster or otherwise, to kill a reciprocal agreement would be ineffective, because the agreement would become the law of the land at the expiration of 30 days.

Mr. HARRISON. Mr. President, will the Senator yield to me to ask a question before he takes his seat?

Mr. O'MAHONEY. Certainly.

Mr. HARRISON. Suppose the amendment offered by the Senator should be adopted and Congress should adjourn on Saturday next, and that an agreement should be negotiated;

would there be any way of putting it into effect before Congress met at the next session?

Mr. O'MAHONEY. Not until Congress came into regular or special session.

Mr. HARRISON. In other words, no matter how beneficial the proposed agreement might be to us, no matter how many other countries should enter into agreements against us, the United States would be deprived of any opportunity to benefit; we would have to wait until the next session of the Congress, in January, and then 30 days after that.

Mr. O'MAHONEY. I may say that that is a defect which is inherent in democracy.

Mr. DICKINSON. Mr. President, I should like to inquire of the Senator from Wyoming whether or not this amendment means anything except that the President would have to make a report to Congress. It does not say that any agreement would have to be approved by Congress; it does not say it would have to be disapproved. What would be the effect of the amendment?

Mr. O'MAHONEY. Clearly the effect of the amendment would be, I think, that Congress would have an opportunity to disapprove any agreement, if it so desired, just as it may disapprove any Executive order relating to the merger of branches of the Government. That is the general interpretation of the provision upon which it is modeled.

Mr. DICKINSON. The amendment provides that it "shall not become effective until the expiration of 30 calendar days after such submission unless Congress shall by majority vote of both Houses provide for an earlier effective date of such proclamation."

I do not believe it is implied by that language that the Congress would have the right to refuse, or would have the veto power. As a matter of fact, I do not believe the amendment means anything except that we would have a report from the President on the proposed agreements for 30 days before they became effective. That is all it means.

We ought to do what the Democratic Party did during the consideration of the 1930 tariff bill, namely, insist that any agreement must be submitted to Congress for approval. I remember the Fletcher amendment, which was offered as a substitute for the Smoot amendment. In that amendment the very declaration was that Congress should retain its legislative right to control tariff schedules, and that no agreement should be made which should not have the approval of the legislative body.

I think we ought to consider where is this leading. Representative TREADWAY made this statement on June 9, 1933:

Another proof of the fact that the present tariff law has had little or nothing to do with the decline in foreign trade lies in the fact that the value of imported merchandise which is free of duty continues to be two-thirds of the total value of all imported merchandise. If the tariff act were operating to prevent the importation of foreign products, the decline in dutiable articles would naturally be greater than the decline in free merchandise. Instead the ratio between dutiable and free goods remains practically constant.

I think there is the best proof that we shall not be able to get any agreement which will be beneficial by virtue of the adjustment of the tariff act as suggested in the pending bill.

Then we come to the decision: Do we want to give the President the right to negotiate all trade agreements without any review on the part of the representatives of the people in Congress? Are we going to continue representative constitutional government or are we going to delegate all our authority to the Chief Executive?

It is said: "Oh, we are going to do this for 3 years." Those who say that it is for 3 years will find they will have trouble in ever retracing the step they are about to take. If there was a mistake made, as was suggested by the Senator from Maryland the other day, it was probably due to the fact that we went further than we should have gone with respect to the adjustable provision of the tariff act. However, we have taken that step. As I said then, I say now, if it is a question of whether or not we shall advance to the point where we shall give the President supreme power or

go back to the point where we give him no power at all, I desire to go back where we retain all the power instead of transferring more of it to the Chief Executive.

The theory that we shall sacrifice our economic interests in making trade agreements is wrong. Let me suggest why. Even though most of the countries of the world have their tariff authority centered in the head of the government, it will be found that we are maintaining our international trade today on the same parity and about as well as any other country in the world. Therefore, in what we are doing now we are running the risk of ridding ourselves of all this authority, and, in my judgment, we are also running the risk of the Chief Executive's becoming inveigled into some trade agreements which will not be to the benefit of the public in general. In other words, we are taking a step here which, in my judgment, is the longest step we have ever taken in the destruction of that representative constitutional government in which we have taken such great pride for all these years.

Another thing which has been mentioned is what other countries have done. In Mr. TREADWAY's speech on June 9, 1933, he quoted from the Tariff Commission, as follows:

At this moment, when so many countries are maintaining emergency tariff rates and trade barriers, care must be taken to avoid the possibility that the United States would obtain in return for its tariff concessions only the abandonment of measures too cumbersome and oppressive, and of tariff rates too high, to outlast the depression. For example, the tariff rates imposed by certain European countries on wheat as measures of price stabilization and to save their producers from the effects of the abnormally low price of the commodity will inevitably be reduced if and when there is a substantial increase in the world price for cereals; and reciprocal tariff agreements by which concessions were made in return for the reduction of such temporary duties might mean the grant of valuable concessions in return for totally illusory concessions.

In other words, most of the nations of Europe today are in a position to negotiate tariff agreements, having padded their rates before they begin their negotiations. My judgment is that the Johnson amendment, which would exempt the agricultural schedules from the provisions of this bill, is an all-important factor. Why? Because the great majority of the countries with which we are going to trade are producing a surplus of food products, or raw materials, and they are the ones that are going to seek agreements whereby they will come in and attempt to absorb our markets. Yet here we are, men representing agricultural States, voting to hold the agricultural schedules within the control of the provisions of this proposed law, when, as a matter of fact, I should say the chances are 9 to 1 that there will be no possibility of a trade agreement for the benefit of agriculture, and every possibility and probability—a 10-to-1 chance—that agriculture will lose by any trade agreement which can possibly be worked out.

It is my judgment that if the amendment of the Senator from Wyoming should be adopted, the whole bill should be defeated; but, on the other hand, if it is to become a law, certainly we ought to see that there should be provided some review of proposed action by Congress on these various schedules.

I notice now that although the strongest advocate of free trade and of tariff for revenue only, and of a competitive tariff—the Democratic Party has been in control in the House for over 3 years, and in control of the Senate for more than a year, yet to the present time there has been absolutely no suggestion that we should revise any tariff schedule downward. The only contention made before the Senate, and also made before the Ways and Means Committee of the House was that the purpose of the Democratic legislation was to make tariff rates lower. It was so confessed by the Senator from Tennessee and so testified by one of the members of the Ways and Means Committee from the State of Missouri in the House hearings. Therefore, if we desire lower rates, and if the commitment of the Democratic Party is for lower rates, let us have a revision of the tariff and have lower rates. But let this not be a "pig in the poke" transaction whereby the State Department and its great executive-policy committee, and the Executive shall have the

right to do what they please, regardless of what interests are affected, and not have anyone know anything about their dealings until after those dealings are entirely concluded. To me it is the most offensive thing that we have had confronting us since I have been a Member of either House of the Congress of the United States.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

RECIPROCAL TARIFF AGREEMENTS

The Senate resumed the consideration of the bill (H.R. 8687) to amend the Tariff Act of 1930.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Wyoming [Mr. O'MAHONEY], in the nature of a substitute for the amendment of the Senator from California [Mr. JOHNSON].

Mr. McNARY. I suggest the absence of a quorum and ask for a roll call.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Costigan	Johnson	Robinson, Ark.
Ashurst	Couzens	Kean	Russell
Austin	Cutting	Keyes	Schall
Bachman	Davis	La Follette	Sheppard
Bailey	Dickinson	Lewis	Shipstead
Bankhead	Dieterich	Logan	Smith
Barbour	Dill	Loneragan	Steiwer
Barkley	Duffy	Long	Stephens
Black	Erickson	McCarran	Thomas, Okla.
Bone	Fess	McGill	Thomas, Utah
Borah	Fletcher	McKellar	Thompson
Brown	Frazier	McNary	Townsend
Bulkeley	George	Metcalf	Tydings
Bulow	Gibson	Murphy	Vandenberg
Byrd	Goldsborough	Norbeck	Van Nuys
Byrnes	Gore	Norris	Wagner
Capper	Hale	Nye	Walcott
Caraway	Harrison	O'Mahoney	Walsh
Carey	Hastings	Overton	Wheeler
Clark	Hatch	Patterson	White
Connally	Hatfield	Pittman	
Coolidge	Hayden	Pope	
Copeland	Hebert	Reynolds	

The PRESIDING OFFICER. Eighty-nine Senators having answered to their names, a quorum is present.

Mr. FESS. Mr. President, I am convinced that we ought to take affirmative action on one or the other of the amendments which have been submitted. I prefer the amendment offered by the Senator from California [Mr. JOHNSON] as proposed to be amended by the Senator from Washington [Mr. DILL] to the amendment in the nature of a substitute offered by the Senator from Wyoming [Mr. O'MAHONEY]. I do not think the substitute means anything because it requires affirmative action within a certain time else an agreement which has been negotiated becomes effective. Anyone can see that if a particular group in the Congress desire to make a trade agreement effective they could very easily prevent a vote coming within a certain day. For that reason I think the substitute has an element of weakness.

Mr. President, the Senator from Mississippi [Mr. HARRISON] has again reiterated the suggestion, which has been made here often, that this proposed legislation is not new; that similar legislation was contained in the Dingley bill and also in the McKinley bill. Of course the Senator was not really in earnest when he made that statement because such authority as is here written was not in either one of those laws. All that was suggested in those laws was that certain power be given to the President under provisions which were written by the Congress limiting the President in his operations, and, of course, where power is delegated with limitations imposed by the delegating authority, and the administrative officer is held within the limits of that authority, that does not approach what we are proposing to do here. Yet the provisions in the acts referred to, containing those limitations, seem to be considered as affording a precedent, although they cannot possibly stand as a precedent for this unprecedented proposal.

Some of us 3 years ago when the flexible-tariff provision was under consideration suggested that there might be some question as to the extent of the authority granted, even going as far as it did, and some of us, including many on this side of the Chamber, voted for the provision with some reluctance because of a disinclination to give too much authority to the President in legislation on the tariff question. However, we laid down the limitation upon which the President could act under the flexible provisions of that law.

The first limitation was that such action had to be taken upon the basis of a finding that was made by a nonpartisan body created for that purpose; and, secondly, the nonpartisan body's finding had to be within the limits of the law written by the Congress when it gave the authority. Far from that situation, as to which even then there was some question as to whether or not the power should be given, we have here a proposition to confer unlimited authority, which requires no guidance from the Congress, which in no way designates the course which the President must pursue in his findings, and which makes no provision that the difference between the cost of production in the two countries is to be considered. All that is eliminated in this proposed legislation. It is desired to give the President the absolute authority not only to deal with individual tariff items but to determine what the tariff policy of the Nation shall be, although it has always been conceded, and never before has a proposition to the contrary been introduced here, that the policy-determining function lies in the legislative department of the Government and the Executive is limited to administering that policy as fixed by the legislative department. Here, however, we are proposing to pass the power of policy determination to the Executive, who is the administering officer, and to make him the policy-determining authority and also the administering officer. No such effort, so far as I know, in the history of our land has ever before been made.

When we ask why we should be requested to do such an unheard-of thing, the answer is given, "This must be done speedily; if we put the power in the Congress it will delay the proceeding." When we ask, as in the case of the administration of the present flexible provision of the tariff law, that there be hearings and that such hearings shall be open and public, in order that people who are interested may be heard, we are answered, "No. If there be public hearings we shall defeat our purpose; such hearings must be secret."

Mr. President, it is an old saying that men choose darkness rather than light because their ways may be such as that the light would interfere with them. What is it we want to have the President do that cannot be done in the open?

What is there in this undertaking that it has to be executed in the darkness? Why should the public be shut out from it? Why should there be no hearings in cases where the public is interested? The answer is, Mr. President, that such a course will delay action. The unbroken precedents of history show that wherever speed has been resorted to, it would have been better to have left undone that which was done and which would not have been done if time had been taken to consider the question. There can be no good purpose interfered with by taking time, for if taking time will defeat what ought to be defeated, taking time is justified; and if taking time will defeat what should not have been defeated that condition may be remedied in time; but if we do not take time, and thus do that which ought to be defeated and would have been defeated had time been taken, then it is too late. But the claim on the part of the advocates of the measures of the administration is that they must not be interfered with; that the Executive must not be hindered; that he must have authority to act quickly and in the dark and not take the people into consideration. This, to me, is the most undemocratic measure that we have ever had proposed to this body or to any other body. There is no good that can be frustrated by taking time, and any purpose which ought to be frustrated will usually be frustrated by taking time.

I want to say to my friends that the contention that the speed which is now sought is necessary and that what is proposed to be done must be done within the 30 days or America is gone is silly. America has lived for more than 150 years and will continue to live. The passage of this bill must not be considered as the only condition by which the Nation is going to survive; we will survive if we shall not pass it; and I say that we shall survive and have a more substantial recovery under normal processes and constitutional processes, not with such speed, perhaps, but with the assurance of making no mistake by our taking the necessary time.

So speed is no argument and secrecy is no argument. I think that before the President is given plenary power to do as he likes in establishing a policy involving the many billion dollars of wealth in our country, we ought to provide that whatever action he may take under the bill shall be brought back to Congress to say by a majority vote, "This is all right." If we do not do that, if we impose no limitation whatsoever, we might just as well abdicate, give over the power of Congress to the President, and go home.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. LOGAN. Mr. President, I do not want to take more than 3 or 4 minutes to remind the Senator from Ohio that for 12 years we had Presidents who followed his advice and the advice of those who agree with him. The Senator from Ohio was one of those who was close up to the throne. At the time the Government was taken over by the Republican Party it was in a remarkably fine condition; it was one of the finest governmental machines the world had ever seen. It was well oiled, well painted; every piece was in repair. It had not a single knock anywhere; it was running smoothly. Now, by following the theory of government which the Senator from Ohio has announced of late so frequently, at the end of 12 years the whole governmental machinery had fallen into complete ruin; the Government had been destroyed; and now the Senator from Ohio and the Senator from Iowa, and some of the other great Senators who have seen that happen are insisting that we go back and allow them to give us the same kind of medicine that the country lived on for 12 years, which destroyed the country. It may be that some of us are wrong in trying these new things, as they are designated by our Republican friends, but we naturally just have to take something, as we know that the remedies suggested by the Senator from Ohio will not bring this country back to happiness and complete recovery. The fact is that the theories advocated by these distinguished Republicans are the very theories that brought it to destruction.

Our good Republican friends talk about this measure destroying the business of the country. I should like to ask them sincerely, and I wish they would give me just a plain, honest answer, if they can answer it at all, who, in all the United States, is most interested in the recovery of this Nation? Who is most interested in bringing peace and happiness and prosperity to the people of the United States of America?

The answer is obvious: The President of the United States. Everything is at stake so far as he is concerned. He will be judged in history by what he does toward restoring happiness to the people. To say that it is his purpose or the purpose of his friends to do that which would deliberately bring destruction upon the country is a foolish thing to say.

The people have confidence in the President of the United States, and well they may. His heart is with the great masses of the American people. He loves humanity. He lives according to the law prescribed by the old prophet when he announced that the whole duty of man is to do justice, to love mercy, and to walk humbly before his God. Because the President does that, because he loves the people of America and desires to bring happiness to them, those who are afraid that he might be reelected or that someone who agrees with him and his policies might be elected have started the miners, the sappers, the snipers, in an effort to destroy the confidence of the American people in the Presi-

dent of the United States. I believe they will not succeed because the people have a way of finding out the truth, and they know that Franklin D. Roosevelt, the President of the United States, is their only hope in these dark days. There is no one else who carries the torch which lights the way, and I believe those efforts to destroy the confidence and the love which the American people have for him will not be successful—and they ought not to succeed.

Mr. BORAH. Mr. President, I am not to be considered as antagonistic to the objects and purposes of this legislation. I believe one of the problems directly connected with the question of recovery and of permanent prosperity of the country is the building up of foreign trade. Insofar as it can be done with due regard to domestic interests, I find myself in entire accord with the objective which has been so well presented here by the able Senator from Mississippi [Mr. HARRISON].

In the few minutes I have at my command I do not propose to undertake to weigh the derelictions between the Republican Party and the Democratic Party with reference to granting powers which ought never to be granted to anyone. I do think this measure goes further than we have ever gone before, but I am quite sure it is the logical result of what we have done before. When we began to digress from the well-established rules and principles which had been observed in this country for more than a hundred years and to delegate power which we knew perfectly well at the time we delegated it was a power which belonged to the Congress alone, we set a precedent which would inevitably lead to what we have here in the Senate today, and that is a further extension of the power. When we initiated these unconstitutional delegations of power we left the port and put out to the open sea. We now have neither rudder nor compass. Our only guide is political expediency and each of the old parties justifies its acts by citing a precedent established by the other.

I took occasion to say when the flexible-tariff provision was before the Senate on September 26, 1929:

If we transfer to the Executive the power we here propose to transfer, when and where shall we halt in our mad and reckless generosity? If we set the pace, what Congress may we hope will have the integrity of purpose, the courage, the patriotism, to stay the craven surrender of power now going on and to put an end to this chronic renunciation of the obligations given to and imposed upon us by the Constitution?

The Democrats are citing the precedents of the past as a justification for the present bill. The next Congress, though it may be Republican, will cite this precedent for another ruthless invasion of constitutional government, and the mad and reckless surrender of our duties goes on apace. I expect to see, if I should live to the time allotted to Moses, in this Chamber a proposal to give the President of the United States the power to determine, under certain vague rules, the amount of income taxes that should be collected.

There is only one thing to do and that is to get back to the Constitution, and live by it and under it until the people change it. These parties which are in power from time to time, which mistake party feeling for constitutional principles, are establishing precedents in this country which they, with us and all others, will see the day they will rue. What both the old parties need is a baptism of constitutional principles.

Mr. President, as I said, I am in favor of building up our foreign trade, but I have a feeling that I want to be present and have a part in the program of building up our foreign trade. It is a delicate program because it must necessarily affect wide interests throughout the country. I feel, as a Senator having certain obligations which I have voluntarily assumed, that I ought not to surrender those obligations; I ought not to put myself in a position where I cannot, if I think it is proper, disagree and effectively disagree with a program of building up foreign trade.

It may be that I would be entirely satisfied with any agreement the President would make. I am perfectly willing to agree with the Senator from Kentucky [Mr. LOGAN] and to agree in all sincerity with the Senator from Kentucky

that the President's motives are of the highest and that he has at heart the interests of the people of the United States. This is not a matter of respect or confidence, it may be a matter of honest difference of opinion, and I know of no reason why I should surrender all power to express by vote an opinion of what I think is to the best interest of the people of my State and the country at large. There is a wide divergence of opinion when we come to dealing with a question of this kind as to how we may effectively serve the people of the United States. Why should I put myself in a position where I would be powerless to protect my constituents? I have been selected by them and they knew the obligations which devolved upon me when they selected me. If I surrender those obligations, abandon the duties which are imposed upon me, how am I to protect the interests of my constituency in case their interests should be involved? What right, legal or moral, have I to put myself in a position where I cannot serve them?

We are informed there is a treaty now lying somewhere about the State Department dealing with Argentina and Brazil. Argentina has very little to send into this country except that of which our people produce a surplus.

Let us suppose this treaty did provide for a larger importation of beef into this country, either on the hoof or slaughtered, and my people should feel greatly injured, as they would be, by such a treaty. Where would I be, a Senator of the United States, to whom the taxing power in part has been delegated by the Constitution? Where am I when my constituency call upon me to act? I am powerless. I have surrendered my power. I have delegated it to another. I am voiceless and I am voteless to protect the people of my State. I have no language to express my abhorrence of such a proposal.

It is not a question, sir, of the good intentions or high motives of the President of the United States, but I claim for myself individually some knowledge of the affairs of my State which it is impossible for the President of the United States to possess. If my constituency telegraph me or write me or ask me to present their cause and to present the facts as they see them, I should not have surrendered my power to do so. It is that against which I am inveighing.

I say that these treaties are now in the State Department. We all highly respect the Secretary of State, a cultured, high-class, patriotic citizen. But his views and my views upon many of these questions, his views and the views of my constituency upon many of these questions, are wide apart. Let us suppose that in writing the treaty with Argentina he has seen fit to incorporate in principle what he said here upon the floor of the Senate some years ago. He said:

I agree now to pay \$500 to any charity, if any impartial group of unbiased economists to be selected should not find that the tariff injuries as a whole to the producers of these 8 staple products are not 3 to 5 times greater than the tariff benefits.

I have no doubt that he would execute these treaties in accordance with his convictions. He is a man of convictions. When he does so he may leave the cattle grower, the wool grower, the pea grower, the bean grower of my State utterly unprotected. He may not, but he may. If he does, where is the Senator from Idaho? Powerless. He has surrendered all power to protect the people who selected him for the position which he now holds.

Mr. President, I noticed a few days ago, in one of the addresses in the West, that Mr. Wallace—another gentleman who undoubtedly will have much to do with this matter—said that there were many industries, some of them agricultural, which were living practically upon a bounty from the people of the United States, inefficient industries. That may be true; but, as a Senator, I want to be present when it is determined whether or not it is true. I do not want to have surrendered all the power I have to say to Mr. Wallace, "I disagree with you. My people disagree with you. We think you are mistaken"; and I ought to be in a position where I can do what I do effectively.

That, Mr. President, is what we are called upon to do—not to disparage the integrity of purpose of the President of the United States but to retain unto ourselves the re-

sponsibility and the power given to us under the Constitution, which our constituents expect us to exercise, and no more.

Sometime ago we had before us legislation with reference to sugar, a matter of very great concern to the people of my State. There is not a Senator here who knows the facts about that matter who does not know that had the administrative authorities had their way the sugar industry in the West would have been doomed. It was so declared in plain language. It was thought to be an inefficient industry; but by reason of the fact that there were a Senate and a House where the voices of the respective Members counted, the program was so changed as at least to give the sugar producers a chance for existence. Men representing the Government appeared before the committees of Congress and coolly, rather indifferently, and with that solemn assurance so characteristic of a man learned in theory but illiterate in wisdom, declared that the sugar industry must be permitted to die; that it was not efficient and could not exist without doing violence to the integrity of that economic world which never existed, and never will exist, except in the fertile fancy of some restless dreamer. No thought was given to the thousands of farmers who had spent a lifetime almost in making the industry a success, and whose very success gave the lie to theory. No thought was given of what was to become of these bankrupt farmers after the theorists got through with them. Had the power been given or had the power existed, this industry would have been destroyed by these theorists.

We are told that all this takes time and that we must act with great speed. It is said that we cannot wait on the cumbersome, slowly moving machinery set up by the framers of the Government, but that we must adopt a wholly new plan in order that we may act secretly, speedily; that we may go forward with serene, cheerful promptitude. In the interest of speed, of haste, the lawmaking and treaty-making powers of the Government are to be set aside. But when you are imposing taxes, when you are framing a customs policy which may seriously affect the physical and economic well-being of millions, it is not so much speed that we need as accuracy, not so much haste as justice, not secrecy but open, candid hearings and interchange of views. These things are essential that substantial justice may be done.

The PRESIDING OFFICER (Mr. CLARK in the chair). The time of the Senator from Idaho has expired.

NEED OF PROTECTION FOR THE FARMERS

Mr. LONG. Mr. President, if I may be permitted just to follow up what the Senator from Idaho has said about sugar, I will do so briefly. I had not intended to take the floor had not his time expired.

It was declared by the Department of Agriculture, as I read the testimony before a House committee, that they regarded the sugar industry as one of those existing on a bounty. I desire to say to my friends on this side of the Chamber that they are living in a false sense of security if they think the bill recently passed protects sugar. It does not. There is ample authority in the bills which have been passed for the tariff on sugar to be changed by treaty or by classification. Further, this is the last enactment of Congress, and previous enactments of Congress must yield to what is contained in this measure.

Mr. President, the Secretary of Agriculture, brilliant as he may be, could not have been elected to represent the sugar growers of my State nor the sugar growers of the West. His views on agriculture are not shared by the American people who are affected by this proposed legislation. The sugar industry has been given a great deal of attention only in a disparaging way by the supposed to be free-trade advocates. Sugar in this country at one time sold for 30 cents a pound. It now sells for 5 cents a pound. Protected sugar sells for a nickel a pound. Unprotected sugar sold for 30 cents a pound in the United States.

When the sugar tariff had been taken off and sugar production in this country had been left to the mercies of foreign competition, America, with a destroyed domestic sugar

industry, saw sugar go from 5 cents a pound to 30 cents a pound. With the tariff that now prevails on sugar in America, sugar sells in the United States cheaper than it does anywhere else in the world. Sugar sells here in America today cheaper than it sells in any other place in the world today; why? Because America has kept a domestic sugar industry alive in the United States, and it has grown by leaps and bounds, with the beet-sugar industry of the West, to a point where, if this protection should remain, America soon would be on a self-sustaining basis; and America needs to expand its sugar crop. It is one of the commodities for which there is a domestic need; and if America has a trade agreement entered into with regard to sugar—which is altogether possible, and I might say probable, under this bill—it means, not that the people will buy sugar for 5 cents a pound but that it will go on toward the 30-cent mark that they paid before when sugar had no protection.

My State is a sugar State. It is a lumber State. It is an oil State. It is a cotton State. It is a pepper State. While for a number of years in that State we were divided on the tariff question, we have come to know that we must have a tariff on everything we have there.

Now we are told that we must entrust this bill into the hands of bureaus which are to decide in secrecy, which are to make their trade agreements without consultation with us, which are to levy whatever kind of life or death they want to levy against our industry, and not one word about it can be heard from us. Let no man sitting here be secure or sanguine but that he is voting into the hands of the Department of Agriculture the power to destroy the wool industry, the power to destroy the sugar industry, and the power to destroy many other industries of this country that are living by tariff protection.

Pepper has to be protected from the pepper of Mexico and of other tropical countries. Fruit has to be protected by a tariff in order to live. Walnuts, almonds, and all such products as California raises have to be protected by a tariff in order to live. If America today votes to enact this bill, which it is going to do, and places in the hands of the bureaus of this country the power to destroy these tariffs or to weaken them, let no man be misled as to what he is voting for, because we are voting authority here today to destroy the tariffs on sugar and on wool and on other agricultural commodities.

Somebody wonders why the wool market is going down. There is no reason why anybody should be puzzled about that.

Mr. LOGAN. Mr. President, will the Senator yield to me for just a moment?

Mr. LONG. I yield to the Senator from Kentucky, though I have only 10 minutes.

Mr. LOGAN. If a tariff on sugar makes sugar sell cheaper in the United States than anywhere else in the world, why would not a tariff on wool make wool sell cheaper?

As I understand the argument of the Senator, it is contradictory. He says if we put a tariff on sugar, sugar sells cheaper; but if we put a tariff on other things it makes the other things sell higher. Does not the Senator know that a tariff has but one purpose, and that is to make the product which is manufactured in our country, and sold in competition with the product of foreign countries, sell higher than it would without a tariff?

Mr. LONG. I am very glad to answer the Senator. His question shows the goodness of heart of the Senator, and his lack of understanding. [Laughter.]

Sugar, outside of America, is dominated by monopolies. Wool is not. In the foreign field, the sugar industry is controlled by a monopoly, a trust; and when they have control of the sugar market, when the competition of the industry, which is independent in America, is wiped out, sugar goes sky-high. There is not the same monopoly in the control of the foreign-wool industry as there is in the control of the foreign-sugar industry.

Having answered that question to my friend from Kentucky, and realizing that my answer will not convince him

or change his vote a bit on earth, I pass on, as I have only a moment's time.

There is, however, a reason why protection should exist. In the long run, may I say, if we were to leave the domestic-wool industry at the mercy of foreign competition, a monopoly in wool might develop to a point where wool domestically would be higher than it is with a tariff to protect it. In the long run it probably would reach the same situation that sugar did. Sugar reached exactly that position. Here were our friends over there with their tongues hanging out, saying that they were going to give the baby cheaper sugar. They had a sign on every barrel of sugar that went to a grocery store, "Wire your Representative and your Senator to vote to take the tariff off sugar. If you do, sugar is going to be 2 cents cheaper." We went ahead and did it, and instead of going from 5 cents down to 3 cents it went from 5 cents up to 30 cents.

That does not mean anything to a free-trader. He cannot see it. He is just as blind as a mole. He cannot understand it, and never will understand it; but that is exactly what happens whenever we subject the domestic competitive market to a monopoly.

Mr. BLACK. Mr. President, will the Senator yield?

Mr. LONG. I yield, though I have only just a moment.

Mr. BLACK. Neither can he believe it.

Mr. LONG. My friend from Alabama is hard to understand, and I refuse to hire an interpreter.

Mr. BLACK. The Senator stated that the gentlemen who were opposed to that could not understand that theory, and I said, neither could they believe it.

Mr. LONG. I must be dense, for I did not understand the Senator. I can understand how the Senator cannot believe it. No, Mr. President, they cannot believe it. They cannot see it. Right over there in Alabama, the State near to me, they get their sugar quite often from us. One time they had a tariff, and they got it for a nickel a pound. The next time they did not have a tariff, and they paid 30 cents a pound; but they cannot understand the difference. That two bits a pound difference did not mean a thing in the world to them. They still believed there was just something out of place about it; and yet, with 500,000 families in this country dependent upon the sugar industry of this country today, and millions of people dependent upon the wool industry today, millions of people dependent upon the farm and agricultural tariffs that prevail as well as the industrial tariffs, the sword of Damocles is to be put over their heads every minute and every hour of the day. One ipse dixit, one sweep of this dictatorial power, one bureaucratic order, and the industry fades as the morning comes.

That is what we are voting for today. Let us understand it. Some man may come back here next winter with his industry destroyed. We are doing it here today. This is the bill and this is the vote which can accomplish the defeat and the destruction of these domestic enterprises.

Mr. BARBOUR. Mr. President, some time ago I offered an amendment in the nature of a substitute for section 4, but I shall not call it up, because the subject matter of that amendment has been very largely covered in most respects, and certain provisions have actually been voted upon, and I do not want to cover the same ground twice.

As a matter of fact, I would much prefer to have section 4 entirely eliminated. I think it attempts to offer a security which is not in fact any protection. I think the impression it seems to convey is false in many respects, and I believe the bill would be a much more honest bill, and would reflect more accurately what the proponents really mean, if that particular section were entirely eliminated.

However, there is one feature which I did have in my amendment which has not as yet been touched upon, and which I think has merit and must be of interest to the Senate. With that in mind, I send to the desk an amendment, and ask to have it read.

The PRESIDING OFFICER (Mr. GEORGE in the chair). The clerk will read.

The LEGISLATIVE CLERK. On page 6, line 10, after the word "designate", it is proposed to insert the following words:

At a public hearing, said hearing to be public unless the President shall determine and declare a public hearing is not in the public interest and.

Mr. HARRISON. Mr. President, is the Senator offering that as an amendment to the so-called "Johnson amendment"?

Mr. BARBOUR. No; I am just having the amendment read at this time. I will call it up for a vote later.

Mr. HARRISON. The Senator from New Jersey understands that an amendment is now pending?

Mr. McNARY. Mr. President, the Senator from New Jersey understands that there is pending an amendment offered by the Senator from California. The Senator from New Jersey is offering his amendment to be read only, and he desires to comment upon it now.

Mr. BARBOUR. Mr. President, a great deal has been said about restricting the power of and interfering with the President of the United States. It is said that he must not be expected to give notice of hearings, that the whole matter of who is to be affected or what is to be effected must be kept in the background, must be kept in the dark in order to enable him properly to consummate these proposed treaties.

The only effect of my amendment would be to provide that there should be public hearings in each and every case, except when the President declares it is not in the public interest to hold such public hearings. The President would not be tied in any way, he would not be interfered with in any way, but he would have to give any interested party the benefit of a public hearing or he would have to make the declaration that it was not in the public interest to hold such a hearing.

Mr. President, I believe that industry, and those interested in industry, are entitled to hearings.

Mr. HARRISON. Of course, the Senator appreciates the fact that under a provision already adopted the President would have a right to have a public hearing, if he so desired, under rules and regulations to be provided.

Mr. BARBOUR. I appreciate that, but—

Mr. HARRISON. That is exactly what the Senator is getting at.

Mr. BARBOUR. No; it is not; I disagree with the Senator, if he will permit. I feel that under the present provision there will be no public hearings in any case. Even should the amendment I am suggesting be adopted, there would probably be no public hearings either, but at least the President would have to declare in each instance that a public hearing would be against the public interest. That, after all, can be the only reason for withholding a public hearing, anyway.

I shall not take more time in debating this particular question. I think the amendment is pertinent; I think it is fair; and at the proper time I shall want to have a vote on it, and I will ask for a vote on it at the proper time.

Mr. BONE. Mr. President, I have no desire to participate in the debate at this point, but a remark by the Senator from Louisiana [Mr. Long] about the price of sugar directly after the war interested me very much. The Senator stated that right after the war the people of this country were compelled to pay about 30 cents a pound for sugar.

If my recollection serves me aright, sugar was then being rationed to the people of this country at about 20 cents a pound. The records indicate that at the time the people of this country were being sweated for that frightful price the Government had on hand 22,000,000 pounds of sugar, which it elected to sell to the French Government for 2 cents a pound, instead of selling it at a reasonable figure to the people of this country.

There was no occasion for the high price of sugar which the Senator from Louisiana has mentioned, for there was in the possession of the Government this great mass of sugar, 22,000,000 pounds, which could and should have been used at that time to break the strangle hold of the Sugar

Trust and smash the price being gouged out of the people of this country. There is no answer to that argument. The Government had the sugar. The price which the American people were paying was an outrage, and this outrage was then being visited on the people of this country because the Government itself permitted the crime. Sugar tariffs had nothing to do with this story of loot. It was merely another example of how the people are trimmed to enrich manipulators in the necessities of life.

Mr. CAPPER. Mr. President, before casting my vote for the pending measure, which is to grant for a limited time certain limited powers to the President of the United States to enter into reciprocal trade agreements with foreign nations, through use of the flexible tariff provisions of the act, I desire to state briefly my reasons for so doing.

Years ago, probably during my school days, I was much interested in the story of a young ruler named Alexander. The story went, as I remember, that there was a knotted rope in a temple which no man had ever been able to untie or unravel. The prize from the gods to him who could undo the knot was power. Alexander, it seems, looked at the knot, tested it once or twice, then calmly drew his sword and cut the Gordian knot. Later he conquered the then-known world.

Mr. President, I am a firm believer in the protective tariff. But it has seemed to me ever since we enacted the latest tariff act—and I voted for that measure very largely because it contained the grant of some flexible tariff powers to the Chief Executive—that the United States has a Gordian knot to undo in the matter of interference with world trade by tariffs, quotas, embargoes, and similar trade restrictions.

I do not agree with those who maintain that the high-protection tariff policies of the United States are the sole or even the principal cause of the stagnation of world trade. There are many causative factors, which it is not necessary to discuss at this time. But there is little doubt in my mind that no matter what those other causes are, no matter to what extent they might be removed or modified, the world-wide prevalence of high tariffs, quotas, embargoes, and similar trade restrictions stands in the way of a substantial resumption of world trade.

There was a time when we stood alone among the great nations of the world in respect to a high-protective tariff policy. Today the world has adopted that policy. World trade is effectually stifled. One of our problems is to make possible a revival of world trade.

Theoretically this Nation is in better shape than any other great nation to become self-sufficient. But the price we would have to pay, in the shape of control of production, regimentation of agriculture, industry, and people is dreadful to contemplate. It is not only dreadful to contemplate; it seems to me practically impossible of accomplishment. So in deciding what to do on this question, I am taking the position that it is desirable to revive world trade.

The traditional way of changing our tariff schedules is through Congress rewriting the tariff act. I am not enough of a constitutional lawyer to argue with those who maintain that the only constitutional way is for Congress itself to agree upon each and every item in the tariff schedules. I do not agree with them, but I have no hope of converting them. So I am not going into that phase of the matter from a legalistic point of view, except to remark that always the Constitution is the last refuge of the obstructionist.

I am even willing to admit that back in the eighties, when James G. Blaine was advocating reciprocal tariff agreements to retain our even then lagging farm-export trade, the job could have been done by Congress. The rest of the world was not on a similar high-tariff basis; nor had the other countries of the world given to boards and councils and executives the power to change tariff schedules overnight.

I am even willing to admit that a decade later, when President William McKinley, at Buffalo, a few minutes before he was assassinated, advocated reciprocal trade agreements and the use of the tariff to stimulate world trade, that was a job which conceivably Congress might successfully have undertaken.

But today, Mr. President, we face a much more difficult situation. Indubitably, if we continue our present high-tariff rates, the other nations of the world will keep their high-tariff rates, and perhaps erect even additional barriers against us. It seems to me equally evident that if the United States reduces its tariff walls on its own, our markets will be swamped with a devastating flood of foreign goods, without any compensating foreign markets for any of our own products on equitable tariff terms.

It seems fairly obvious, then, that if world trade is to be stimulated and our own export trade is to be revived by means of changes in tariff schedules, reciprocal action by ourselves and other countries involved is absolutely necessary; and it looks to me as if that means the result will have to be obtained by negotiated reciprocal-trade agreements.

In passing, I might say that I am not one of those who believe that through this legislation, and through the use of its powers, our export trade is all going to be restored; I am only hopeful that it will be helped. We will be better off with the President exercising these powers, in my judgment, than we will be with no power vested anywhere to enter into such agreements and make the agreements promptly effective. It is my information, in this connection, that in the last 3 or 4 years those countries which are in a position to use, and which have used, the trade agreements have done a much better job of regaining their export trade than we have. In fact, I am told that 8 or 9 of the 11 large countries which have entered into such agreements actually have increased their exports over 1929, while ours, as everyone knows, have dropped tremendously.

Mr. President, as I stated before, the traditional way to rewrite the tariff laws is for Congress to revise the tariff schedules. But if reciprocal-trade agreements are to be negotiated, it does not look as if Congress, from the practical viewpoint, is qualified, or even able, to undertake the task. These agreements will have to be negotiated by some agency of Government with certain bargaining power, and, after canvassing the situation in my own mind, the executive branch of the Government seems to be the only logical agency.

As a matter of fact, if the job is only to revise the tariff schedules, if bargaining with other nations is left out of the picture, our experience in writing tariff legislation, particularly in the post-war era, has been discouraging. Trading between groups and sections is inevitable. Logrolling is inevitable, and in its most pernicious form. We do not write a national tariff law. We jam together, through various unholy alliances and combinations, a potpourri or hodgepodge of section and local tariff rates, which often add to our troubles and increase world misery. For myself, I see no reason to believe that another attempt would result in a more happy ending.

I have no assurance, though I have some hopes, that a President responsible to the Nation as a whole can and will enter into trade agreements from the national viewpoint. But I do have grave doubts, judging from past experience, that the Congress can write a national tariff act. I am also hopeful that under the provisions of this act, limited in its time operations as it is, the President will not allow agriculture to be traded down the river in any agreements made. That is what I have seen in the past when industry and manufacturing logrolled tariff schedules into existing and past tariff acts.

I am willing to stake my Republicanism on the stand taken by that great Republican President, William McKinley, I quote from his speech at Buffalo:

A system which provides a mutual exchange of commodities is manifestly essential to the continued and healthful growth of our export trade. We must not repose in the fancied security that we can forever sell everything and buy little or nothing.

Farther back in our tariff history, I point to Alexander Hamilton himself, and to James G. Blaine; to a line of legislation reaching as far back as 1794, in support of trade agreements with foreign nations.

William McKinley did not pioneer when he pointed out the advisability of reciprocity in tariffs. Neither was he the last of the Republicans to realize and state the necessity for using our tariffs to stimulate and promote our export trade, instead of mainly to foster monopolies of already overfed industries, and to build up certain industrial sections and industries at the expense of other sections and of agriculture.

President William Howard Taft believed in tariff reciprocity. I might even call Ogden Mills of New York, former Secretary of the Treasury, the latest Republican to wear the mantle of Alexander Hamilton, in support of a serious modification of the Republican attitude on the tariff. In a speech on Kansas Day at Topeka last January, Mr. Mills, by implication at least, approved the objective of this measure—I understand he does not approve the measure itself. At any rate, he said at Topeka:

We will have to abandon the present policy of isolation and intense nationalism and to some extent modify recent tariff practices. This may sound strange, coming from an orthodox Republican, but I have never understood that a sound system of protection, based upon the cost of production at home and abroad, if intelligently applied, means the erection of impassable tariff barriers, the destruction of our commerce with the rest of the world, and the sacrifice of the efficient farmer to save the inefficient manufacturer.

I desire to quote one more sentence from Mr. Mills.

I am prepared to take my stand—

Mr. Mills said at Topeka last January—

with a great Republican President, who, in his last speech, delivered in Buffalo just before his assassination, said—

and Mr. Mills quoted from the McKinley speech, using the language to which I myself have already referred.

Mr. President, within the last month another Republican, Henry L. Stimson, former Secretary of State, went further than Mr. Mills, who sat on the Cabinet with him. Mr. Stimson, in addition to approving the objectives of this measure, endorsed the measure itself and urged that it be enacted into law. Mr. Stimson takes the view—one I already have expressed briefly—that resumption of world trade through reciprocal-trade agreements is much preferable to the regimentation and Government control of industry that will be necessary if we are to continue our isolationist policy. Like myself, also, he doubts the practicability of arriving at these trade agreements through congressional action.

Mr. Stimson points out, and I quote his language, that—

In each of these other nations the power to handle their commercial relations is very differently organized from the way in which it is organized in our Government. They have vested far greater powers of initiative in their executives.

To deal with a world so organized, our Government at present is at a hopeless disadvantage. Many of the steps which they take and the things which they do are arrangements dictated by emergencies of the present situation. But, on the other hand, many of such arrangements may result in permanently fixing the channels of future trade; and at present, due to the faultiness of our machinery, the United States is being shouldered out of those arrangements and left with the likelihood of permanently losing most of the foreign trade which otherwise it might and could get.

That is what Mr. Stimson says.

Mr. President, it is a matter of regret to me that there are those who are considering this as a partisan measure. But to any who may insist that the test of Republicanism consists in opposing this measure, I will only say that to my mind the Republican tariff doctrine of the future will be more nearly in line with the principle and objectives of this measure, and that a Republican leadership which refuses to recognize the necessity of modifying the Republican tariff policy of recent years—that leadership is due for a downfall. It will be replaced by a leadership which will pick up the tariff principles of Hamilton, of Blaine, of McKinley, aye and of Taft. And I would suggest to them that they face that fact and act accordingly. I say this as one who always has been a staunch supporter of the protective-tariff principle and who will continue to support it.

Mr. President, there is another angle to this situation to which I must refer briefly. Amid all the confusion and confused thinking, the panics, and the panicky actions which have been the aftermath of the World War, there are two theories advanced which my mind refuses to accept as facts.

One is that there is not an actual market abroad for American products, particularly foodstuffs, if trade barriers could be removed and the monetary systems adjusted to facilitate trade. The other is that nationalism carried to the absurd end of isolation has come to stay, permanently.

If either or both of these theories are correct, if our export trade is gone forever, if isolation is practically to end world trade—if these things happen, then it is inevitable that we must ultimately do what Henry A. Wallace, Secretary of Agriculture, points out in his *America Must Choose*—that is, we must work out and enforce a planned economy that will take from 50,000,000 to 100,000,000 acres of farm land out of cultivation in America.

I cannot accept any such conclusion. My mind and soul revolt against any such extreme program. It can be tried only as a last desperate resort; and then probably will fail. The American people will not stand for it. We ought not to continue a policy that will force them to attempt it, other than purely as a temporary program.

There is a surplus population in Europe that can continue to exist peacefully only if we have world trade, and much more world trade than we have now. If and when world trade is revived—and we should pursue diligently and intelligently means of reviving it—there will be some market in Europe for our farm products. Not the markets we had during the World War, of course; not the same market we had before the World War, even; but a much bigger market than we have had during the past few years.

But it will be an exchange market, a trading market, not just a selling market. And it seems to me that we should face this as a reality and face it realistically. And facing it realistically means, for one thing, that any sound program must include reciprocal trade agreements as a means of lowering the trade barriers that have been erected to impossible heights since the war.

So, Mr. President, I intend to support the bill, though deeply regretful that the amendment insuring protection to agriculture against reductions has not been included. The agricultural States will hold the President responsible for protecting their interests and the national welfare in this respect.

Before closing however, I wish to call attention to the following resolution, adopted last month by the executive committee of the Farm Bureau Federation at its annual meeting in Washington. The resolution reads:

We hereby endorse tariff bill, H.R. 8687, to give the President authority to negotiate reciprocal tariff agreements.

The PRESIDING OFFICER (Mr. GEORGE in the chair). The Senator's time on the amendment has expired.

Mr. CAPPER. I believe I have 10 minutes on the amendment and 10 minutes on the bill.

The PRESIDING OFFICER. No; 10 minutes on the amendment and the bill.

Mr. CAPPER. Mr. President, I ask permission to have printed as a part of my remarks an editorial from the *Kansas City Star*.

The PRESIDING OFFICER. Without objection, it is so ordered.

The editorial referred to is as follows:

[From the *Kansas City Star*]

It seems hard to believe that in the light of the experience of the last 12 years, tariff policy in the United States there should still be regarded as a clean-cut party issue, with the choice lying between the ultraprotectionism of recent Republican practices and the tariff-for-revenue tendencies of the traditional Democratic theory.

The disastrous results of tariff legislation drafted without regard to its effect upon the export trade of the United States have thoroughly discredited the kind of protectionism that was in vogue through the last three Republican administrations, with, it should be added, valuable aid from certain Democratic Congressmen.

That policy, for example, virtually ruined the foreign market for the surplus farm products of the Middle West, both by encouraging

retaliatory tariffs abroad and by making it increasingly difficult for our foreign customers to pay for their purchases in goods.

Even a Republican leader like Ogden Mills, the former Secretary of the Treasury, admitted, by implication at least, the error of his party's recent policy on tariffs in his *Kansas Day* address at Topeka. On the other hand, the present leaders of the Democratic Party have altered its policy toward the tariff problem. The tariff-for-revenue has given way to that of tariffs for bargaining.

As a matter of fact, the present state of international trade and the evident interests of the United States today, with respect to its tariff schedules, are such as to make the traditional policies of both political parties either undesirable or meaningless. This country finds itself today on a high-tariff basis in a world that, in general, has adopted similar protectionist policies, with the result that all international trade is retarded.

The immediate problem is to revive that trade, for the benefit of every country concerned.

Clearly, if the United States continues with its present system of high duties, other countries are quite unlikely to reduce their tariff and other barriers against world goods. It is equally evident that the United States cannot afford to reduce its schedules and admit more foreign goods, without compensating advantages for its own products abroad. Obviously then, if international trade is to be stimulated and our own export trade is to be revived, there must be reciprocal action on the part of this and other countries, probably through bilateral or regional agreements, looking to the simultaneous lowering of barriers.

For the negotiation of such agreements, some agency, representing the United States, must have a certain degree of bargaining power, and the logical agency is the executive branch of the Government.

Mr. CAREY. Mr. President, several times during the course of this debate the attention of the Senate has been called to the fact that there has been a decline in the price of wool on account of fear of a reduction in the tariff, which is possible under the terms of the bill, and that on account of this fear buyers were refusing to purchase. It has also been stated on the floor of the Senate that a statement has been given out to the effect that the wool men have no need to fear what may happen to them if this bill becomes a law. Numerous newspapers have published articles stating that certain Senators had some sort of assurance from the President. I shall take but a minute, but I desire to read to the Senate two letters which make me believe that there is some misunderstanding as to the promise made regarding wool.

The first letter is from E. S. Mayer, vice president of the National Wool Growers' Association. It was written from Washington on May 17 and addressed to the President. The letter is as follows:

WASHINGTON, D.C., May 17, 1934.

The PRESIDENT,
The White House.

MY DEAR MR. PRESIDENT: The woolgrowers of the country naturally have been deeply concerned over the proposed amendments to the tariff act as included in H.R. 8687.

Statements and testimony by the Secretary of Agriculture, Secretary of State, and the Chairman of the Tariff Commission have given us grounds to expect that duties on imported wools may be reduced when the pending bill becomes law.

An article appearing in the *San Angelo* (Tex.) *Morning Times* of May 11 attributes to you a statement which would be very reassuring to us. This article quotes you as saying, "No woolgrower need fear the administration of the tariff-bargaining authority." A copy of this article is attached.

Since we have not seen this statement elsewhere, we respectfully inquire as to whether it is authentic and expresses your views and policies.

I expect to be in Washington, at the Willard Hotel, until May 22. Thereafter I shall be at my home in San Angelo, Tex.

Yours respectfully,

E. S. MAYER,
Vice President, National Wool Growers Association.

In reply to this letter Mr. Mayer received the following letter:

THE WHITE HOUSE,
Washington, May 23, 1934.

MY DEAR MR. MAYER: Reference is made to your letter of May 17. It is possible that the President may have made the statement, attributed to him in your letter, to a group of Senators. It does not appear in any formal release.

Sincerely yours,

M. H. MCINTYRE,
Assistant Secretary to the President.

E. S. MAYER, Esq.,
Vice President, National Wool Growers Association,
San Angelo, Tex.

Mr. President, I have no reason to believe that the Senators who were responsible for the statement regarding wool did not so understand the President. It is apparent that

there is some misunderstanding somewhere. It is certain that the secretary of the President could have easily found out if the President made such a promise, or, if the President desired to confirm the statement attributed to him, that he would have done so. It is perfectly apparent from the letter addressed to the President, and the reply by his secretary, that no assurance as to wool given out as coming from the White House is binding on the administration.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wyoming [Mr. O'MAHONEY] in the nature of a substitute for the amendment of the Senator from California [Mr. JOHNSON].

Mr. ROBINSON of Arkansas obtained the floor.

Mr. BARKLEY. Mr. President, will the Senator yield to me for the purpose of suggesting the absence of a quorum?

Mr. ROBINSON of Arkansas. I yield for that purpose.

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Costigan	Johnson	Robinson, Ark.
Ashurst	Couzens	Kean	Russell
Austin	Cutting	Keyes	Schall
Bachman	Davis	La Follette	Sheppard
Bailey	Dickinson	Lewis	Shipstead
Bankhead	Dieterich	Logan	Smith
Barbour	Dill	Loneragan	Steiwer
Barkley	Duffy	Long	Stephens
Black	Erickson	McCarran	Thomas, Okla.
Bone	Fess	McGill	Thomas, Utah
Borah	Fletcher	McKellar	Thompson
Brown	Frazier	McNary	Townsend
Bulkley	George	Metcalf	Tydings
Bulow	Gibson	Murphy	Vandenberg
Byrd	Goldsborough	Norbeck	Van Nuys
Byrnes	Gore	Norris	Wagner
Capper	Hale	Nye	Walcott
Caraway	Harrison	O'Mahoney	Walsh
Carey	Hastings	Overton	Wheeler
Clark	Hatch	Patterson	White
Connally	Hatfield	Pittman	
Coolidge	Hayden	Pope	
Copeland	Hebert	Reynolds	

The PRESIDING OFFICER. Eighty-nine Senators having answered to their names, a quorum is present.

Mr. ROBINSON of Arkansas. Mr. President, the amendment of the Senator from California [Mr. JOHNSON] would prevent any reciprocal trade agreement going into effect until approved by act of Congress. The substitute amendment offered by the Senator from Wyoming [Mr. O'MAHONEY] likewise would prevent any such agreement from becoming effective until after it had been submitted to Congress for a period of 30 days, unless in the meantime the Congress, by a majority of both Houses, should approve the agreement.

Those who favor this proposed legislation, who believe that it is designed and calculated to promote the revival of trade and commerce, should not be deceived into supporting either of those amendments. The primary purpose of the reciprocal tariff legislation is to provide a means by which the country may have the advantage of prompt action, as prompt as is practicable under the circumstances, in entering into arrangements of mutual benefit to this country and to the foreign country which the trade agreement affects. If every agreement must be submitted to the Congress and remain in abeyance for a period of 30 days while the Congress is in session, it is apparent that the primary purpose of the legislation will be, in part, at least, defeated. If the amendment of the Senator from California should be agreed to, it is not very likely that reciprocal trade agreements would be disposed of by the Congress in sufficient number and within the time necessary to build up the foreign commerce of the United States.

What is desired by advocates of the legislation is a method that has already been tried, a method with which the public is familiar, a method well known to the Congress of the United States, by which the Executive may work out arrangements and put them into effect.

All the debate here in opposition to the pending bill is based on the theory that the proposed legislation is really wrong, that the power ought not to be given to the Executive, that he should not be permitted to negotiate trade agreements without express approval of the agreements by

the Congress—both Houses. If we are to accomplish the fundamental purpose which inspired the preparation and presentation of this proposed legislation, we should vote down the amendment offered by the Senator from Wyoming and the amendment offered by the Senator from California.

I realize that it has often been said during the course of this debate that Congress is giving away its power, is minimizing its own responsibility. There is no Senator here who believes that the legislative body is equipped for the negotiation of treaties or trade agreements. There is no Senator who does not know that such matters require careful study. There is no Senator who believes that the present President will promote such arrangements as are calculated and designed to injure any industry in this country. If any Senator so believes, then the correct course for him is to vote against the pending legislation. If it be desired to make the proposed legislation effective, if it be desired to afford the opportunity for reviving the trade and commerce of the United States through arrangements such as those that are to be effected by reciprocal-trade agreements, then Senators should vote down both amendments.

The PRESIDING OFFICER. The question is on agreeing to the amendment in the nature of a substitute offered by the Senator from Wyoming [Mr. O'MAHONEY], to the amendment offered by the Senator from California [Mr. JOHNSON].

Mr. JOHNSON. I desire to perfect the amendment which has been offered by me. In line 3 I propose to strike out the words "and specifically approved by law", and to add the following:

by the President and approved by both the House and Senate, by majority vote. The vote on such agreements shall be taken within 20 days after the President submits the agreement to the Congress.

So that the entire amendment will read:

SEC. —. No foreign-trade agreement entered into under the provisions of this Act shall become effective until submitted to the Congress by the President and approved by both the House and Senate, by majority vote. The vote on such agreements shall be taken within 20 days after the President submits the agreement to the Congress.

Mr. ROBINSON of Arkansas. Mr. President, if my time has not expired, I should like, in my time, to ask the Senator from California a question.

Mr. JOHNSON. I shall be very glad to answer, if I can.

Mr. ROBINSON of Arkansas. The change which the Senator from California has made in the amendment, among other things, requires that the Congress shall vote on a trade agreement within 20 days after the agreement shall be sent to the Congress?

Mr. JOHNSON. Yes, sir.

Mr. ROBINSON of Arkansas. Does the Senator think that a provision of that nature would be self-executing? How would the Senator expect that if either House should decline to take the vote the requirement could be enforced?

Mr. JOHNSON. If either House should decline to take a vote, of course, then the agreement would be in force.

Mr. ROBINSON of Arkansas. I do not think that the language would accomplish any such purpose as that. That is the reason I asked the question. Then, the effect of the Senator's amendment, if that were the effect of it, would be to modify the suggestion of the Senator from Wyoming?

Mr. JOHNSON. No.

Mr. ROBINSON of Arkansas. The Senator from Wyoming proposes to give 30 days and provides that if the agreement shall not be voted on in 30 days then it shall become effective, while the amendment of the Senator from California, as modified, gives 20 days and requires that the votes shall be taken within that time; but there is no way of which I know to make such a provision effective.

Mr. JOHNSON. Mr. President, the Senator has misapprehended the particular amendment. It is the amendment which was suggested by the Senator from Washington [Mr. DILL] when first my amendment was presented to this body, and the addendum that has been placed upon it is the addendum desired by him. The amendment in the nature of

a substitute offered by the Senator from Wyoming is not of this entire character, although he does provide a 30-day period in his substitute, but within which no action is required. This amendment requires action within 20 days, and by a majority vote only.

Mr. BARKLEY. Mr. President, if the Senator will yield, suppose there is no action taken within the 20 days, then what happens?

Mr. JOHNSON. Then the consent of the Congress is implied, and nothing more need be done.

Mr. BARKLEY. I think exactly the contrary is implied.

Mr. ROBINSON of Arkansas. Mr. President, that is the point, or one of the points, I am making. There is no consent of Congress implied; there is no language in the amendment from which such an implication could arise. Here is the language of the amendment:

The vote on such agreements shall be taken within 20 days after the President submits the agreement to the Congress.

There is no implication there, if the vote is not taken within 20 days or if it is not taken at all, that the agreement goes into effect. Anyone by filibustering could prevent an agreement from going into effect within the 20 days.

Mr. JOHNSON. The very purpose of the limitation was to prevent anything of that sort.

Mr. ROBINSON of Arkansas. Will the Senator tell me how that is accomplished by the amendment?

Mr. JOHNSON. I have taken this language from the Senator from Washington.

Mr. ROBINSON of Arkansas. It has come almost to be a habit here for Senators to take other Senators' amendments—

Mr. JOHNSON. Oh, no.

Mr. ROBINSON of Arkansas. And then disclaim responsibility for them.

Mr. JOHNSON. In this instance I think the amendment accomplishes the purpose desired.

Mr. ROBINSON of Arkansas. Will the Senator answer me a question?

Mr. JOHNSON. I will endeavor to answer any question the Senator may propound.

Mr. ROBINSON of Arkansas. From what language in the amendment, as the Senator has revised it, does he, as a lawyer, assert that the implication arises that an agreement will go into effect unless acted upon by Congress within 20 days?

Mr. JOHNSON. Inasmuch as the Senator from Arkansas is so concerned about the particular language, I will accept any language he may desire to suggest.

Mr. ROBINSON of Arkansas. Oh, no, Mr. President.

Mr. JOHNSON. Oh, no; the Senator will not do that.

Mr. ROBINSON of Arkansas. I am not trying to help the Senator from California have his amendment adopted.

Mr. JOHNSON. No.

Mr. ROBINSON of Arkansas. I am doing what I can to defeat his amendment, but I do not want him to get votes either on his side of the Chamber or on this side on the erroneous theory that the language he employs carries an implication which I am sure, when he reconsiders the language, he will agree it does not carry.

Mr. JOHNSON. All right. Now let us read it, although I think neither one of us is in order.

Mr. ROBINSON of Arkansas. I think my time has expired, if we are speaking in my time.

Mr. COUZENS. Mr. President, a parliamentary inquiry. The Senator from Arkansas spoke twice, which is not permitted under the rule. We either ought to have the rule adhered to or we ought to abandon it. The rule specifically provides that a Senator may speak only once and both Senators have spoken more than once.

The PRESIDING OFFICER. The Senator from Arkansas requested that he be permitted to ask the Senator from California a question.

Mr. BORAH. The Senator from California had exhausted his time also.

The PRESIDING OFFICER. The present occupant of the chair is not advised as to the number of times the Senator from California has spoken.

Mr. JOHNSON. Mr. President, I am merely going to read the amendment and then the Senate may determine the question for itself. I will not argue it, because I think we are both out of order; but the amendment is this:

No foreign-trade agreement entered into under the provisions of this act shall become effective until submitted to the Congress by the President and approved by both the House and the Senate by a majority vote. The vote on such agreements shall be taken within 20 days after the President submits the agreement to the Congress.

That is the amendment, which is complete in itself and does exactly what it is designed to do.

Mr. HARRISON. Mr. President, I ask for the regular order.

Mr. CLARK. Mr. President, I want the floor in my own right. I have not spoken on this amendment as yet.

It seems perfectly apparent that as perfected by his own perfecting amendment, the amendment of the Senator from California does precisely what the Senator from Arkansas said it would do, and that is to prevent any trade agreement, which might be negotiated under the terms of the bill, from going into effect until Congress shall have approved it by specific legislative act. The amendment provides:

No foreign-trade agreement entered into under the provisions of this act shall become effective until submitted to the Congress by the President—

That is one element. Then it continues—

and approved by both the House and Senate by majority vote. The vote on such agreements to be taken within 20 days after the President submits the agreement to the Congress.

I take it that neither the Senator from California nor any other Member of this body would contend that Congress now has the right to modify by law the specific provision of the Constitution that each body of the Congress shall have the right to make rules governing its own procedure. Therefore the Congress has no right to provide by this bill that a vote shall be taken in either body within 20 days after submission of any trade agreement by the President of the United States. In other words, the effect of the amendment is to render absolutely nugatory and to render ridiculous the enactment of the proposed legislation at all.

I have no quarrel with the Senator from California. He is opposed to the bill. I have no quarrel with the Senator from Louisiana [Mr. Long]. He is opposed to the bill. I have no quarrel with any Senator who on this floor is opposed to the entire type of legislation embodied in the bill. I submit it would be much more fair and much more frank to offer an amendment to strike out all after the enacting clause, that it would be much more fair and much more frank to go to the people on the issue of defeating the proposed legislation; but to come here and undertake to defeat the legislation by indirection is an issue which should be known to every Senator when he casts his vote on the amendment.

The only theory upon which the pending legislation is submitted to the Congress is that the nations of the world have gotten themselves into a very sad snarl by their competition in tariff regulation and their competition in quota regulations. It is the opinion of the proponents of the measure that this regrettable situation cannot be worked out by the cumbersome process of legislation either in the Congress or in any other parliamentary body of the world. The whole theory of the legislation and the only justification that has ever been urged for it is that it will afford facilities for negotiation to unravel the snarl into which all the nations have gotten themselves. If a Senator is opposed to unraveling the situation which exists in the world today, which involves the United States and other nations of the world, if he thinks they are now in a desirable situation, and if he desires to perpetuate this system of prohibitive-tariff competition, then he ought to vote against the bill or move to strike out all after the enacting clause.

I submit to the Members of this body that there is no justification for anybody who believes in the theory of working out the problem by negotiation to vote either for the amendment of the Senator from California as perfected or for the amendment of the Senator from Wyoming.

Mr. WALSH. Mr. President, in my own time I should like to ask the Senator from California [Mr. JOHNSON] a question, which can be answered yes or no. Would not the effect of his amendment be to prevent the execution of any agreement except during a session of Congress?

Mr. JOHNSON. Mr. President, necessarily I could not advise the Senator. I wonder if the Senator from Missouri recalls the Norris amendment to the Simmons amendment of 1929? It answers what has been suggested about the rules of the Congress.

Mr. McNARY. Mr. President, I have no doubt about the theory of the amendment of the Senator from California, and I feel that it fully carries out the purpose the Senator has in mind. However, in order to satisfy the critics, whose ranks are rapidly thinning, I am going to suggest something which I think can be understood. Following the language submitted by the Senator from California, I propose, in deference to some of the critical Members of the Senate, to add the following:

In the event Congress shall fail to act within said period of 20 days, then such agreement shall thereupon be in full force and effect.

Mr. COUZENS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Michigan?

Mr. McNARY. I yield.

Mr. COUZENS. What is the implication of the expression "if Congress is not in session"? Does it mean that the agreement would be held over until Congress should be in session?

Mr. McNARY. Certainly. I have no reason to doubt that. If an agreement should be consummated during the vacation of Congress, it would have to wait until the Congress reassembled, and then would have to be considered within 20 days before final action could be taken or before the agreement could become effective.

Mr. BORAH. Mr. President, may I ask the Senator from Oregon if he will have his amendment read at the desk?

Mr. McNARY. Certainly. I ask that the clerk may read my amendment.

The PRESIDING OFFICER. The clerk will read the amendment as requested.

The legislative clerk read as follows:

In the event Congress shall fail to act within said period of 20 days, then such agreement shall thereupon be in full force and effect.

Mr. BORAH. May I ask the Senator if that is in the nature of a substitute?

Mr. McNARY. I think that is the real intent and purpose and is in language a proper construction of the desire of the Senator from California. I only suggest it as an assurance against doubt.

Mr. BORAH. It is too much of an assurance against doubt to suit me. In other words, unless Congress acts within a certain time, the agreement becomes effective?

Mr. McNARY. That is correct.

Mr. BARKLEY. Mr. President, I am opposed to the amendment both in its imperfect form and in its perfect form, because I think we might as well move to lay the bill on the table or postpone it indefinitely as to adopt such an amendment in any form.

One of the reasons why the bill is before us now is because of the well-recognized inability of Congress to act promptly in an emergency of this character. If we are going to destroy the ability of the President to act promptly we might as well quit wasting our time in debating the bill at all. Suppose the amendment of the Senator from California or any other amendment of the kind should be attached to the bill; suppose that between now and next January the

President should be able to negotiate as many as 20 trade agreements which would be to the immense advantage of the American people; suppose the conditions should be such that in order to reap those advantages the agreements ought to take effect in July or August of this year; under this amendment or any other amendment of the kind they could not take effect until probably next February.

In addition to that it would probably be a deterrent against any other nation negotiating any trade agreement with the United States. For instance, in 1897, during a Republican administration, more than seven agreements were negotiated under a law which was enacted by a Republican Congress. Not one of those agreements was ever ratified. What encouragement has any nation to go to the trouble of negotiating with the United States a treaty on trade relations, exposing their trade situation to us in the negotiations, when they know if it is submitted to Congress it may never be ratified, or if it is ratified it may be postponed until all the benefits growing out of the trade arrangements will be nullified?

I believe if the amendment or any similar amendment shall be adopted there will never be a trade agreement negotiated between this country and any other nation.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. CLARK. I do not wish to take up the time of the Senator, which I know is limited. I merely want to invite his attention to the fact that under the Tariff Act of 1897, which provided both for trade agreements and for reciprocal treaties requiring action of the Senate, all the trade agreements went into effect and were upheld by the courts, and that none of the treaties requiring action by the Senate was ever ratified.

Mr. BARKLEY. I was coming to that. As I said earlier in the day, sections 3 and 4 of the act of 1897 provided for trade agreements which did not have to come back for action by Congress, and in another section the act provided for trade agreements which had to be ratified by the Senate. As the Senator from Missouri has reminded me, all the trade agreements which were negotiated which did not have to come back to Congress went into effect and were upheld by the courts, while not one of those that had to come back to Congress and be ratified was ever put into effect, because not one was ratified.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Idaho?

Mr. BARKLEY. I yield to the Senator.

Mr. BORAH. Was the power given to the Executive in those instances to make rates?

Mr. BARKLEY. No; it was not. A certain long list of imports was set out in section 3 of the act of 1897, and the authority given to the President was to negotiate trade agreements, upon the consummation of which the rates set out in section 3 were to take effect. Section 4 provided for the return of the treaties or agreements to the Senate for ratification; but, Mr. President, even in 1890 or 1897, the two most recent instances of conferring this authority upon the President, we were not involved in anything approaching the national or international trade emergency that now exists in this country and in the world.

Mr. BLACK. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield, though I have only a few minutes.

Mr. BLACK. I know the Senator has, and I shall be very brief.

The Senator asked about rates. The President now has the power—for we all know that he can control the Tariff Commission; everybody knows it—to raise or lower rates 50 percent. This bill does not give him any more power than that, does it?

Mr. BARKLEY. Oh, no. So far as rates are concerned, he will operate under the same limitation of 50 percent under which he now operates in connection with the Tariff Commission.

The difference is that under the present law the President is not given authority to act except upon a report from the Tariff Commission, whereas under the bill now before us he could act upon information from all departments of the Government with respect to all matters of commerce upon which he might be able to negotiate a trade agreement with any nation in the world.

I say frankly that if this amendment or any similar amendment shall be adopted to this bill—although it is inconceivable that there will be enough votes to adopt it—if it shall be put into the bill by the Senate, in my judgment it will not be in the bill when it shall be enacted. If it should be in the bill when enacted it would defeat the entire purpose of the bill itself, and we might as well vote to kill the bill, because it would not accomplish anything. No trade agreement would ever be entered into. Not a carload of freight would originate in the United States and be sent to any other nation under this bill if this amendment should be adopted.

Mr. DILL. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. DILL. Does the Senator think it would be impossible to make a trade agreement which Congress would approve?

Mr. BARKLEY. No; I do not think it would be impossible, but I think it would be improbable, especially as this amendment does not change the rules of the Senate of the United States. An act of Congress does not change the rules of our procedure. It may be that the amendment suggested by the Senator from Oregon [Mr. McNARY], which is entirely different from the interpretation that I place upon the amendment of the Senator from California, might automatically put the trade agreements into effect 20 days after they were submitted if Congress had not acted upon them; but under the language of the amendment submitted by the Senator from California there is no provision whatever as to what would happen after the 20 days. Any man or group of men might occupy enough time under the rules of the Senate to make it impossible to bring about a vote under the 20-day limitation originally incorporated in the amendment of the Senator from California; and my interpretation is that in that event the treaties, instead of going into effect, would be null and void.

I do not recall whether or not the Senator from California accepted the amendment of the Senator from Oregon.

Mr. McNARY. Mr. President, I did not offer an amendment. I simply suggested it, and left to the judgment of the Senator from California what he desired to do.

Mr. BARKLEY. Then it is not before us?

Mr. McNARY. No; not formally.

Mr. BARKLEY. Under the present language of the amendment I do not think it is open to any interpretation except that the 20-day provision is a mere direction to Congress. The provision that unless the treaties shall be ratified by a majority vote of both Houses they will not go into effect is just as valid as if the 20-day provision were not there. It simply directs Congress to act within 20 days; but if it does not act within 20 days, there is still the provision there that the treaties cannot take effect until they are ratified by both Houses by a majority vote.

Mr. DILL. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. DILL. Does not the Senator think it could be provided that the two Houses shall vote within 20 days?

Mr. BARKLEY. No; I do not think any law can make the Senate vote within any limit of time until it desires to do so.

Mr. DILL. Suppose the Senate should pass such a law?

Mr. BARKLEY. The Senate might pass such a law at this session, but there is no way to prevent any group of Senators in the next session from talking for 20 days or for any other length of time so that there never would be a vote; and if there never were a vote under this amendment, the treaties automatically would be dead, not automatically alive.

Mr. JOHNSON. Mr. President, will the Senator permit a question?

Mr. BARKLEY. Yes.

Mr. JOHNSON. Does the Senator remember in 1929 voting for an amendment to the flexible provision of the tariff bill which prescribed exactly how the amendment should be treated before the Congress, and provided that nothing should be germane to that particular amendment save what was in the original agreement or the original flexible tariff rates then fixed?

Mr. BARKLEY. I remember that amendment; but I remember, also, that the amendment provided that if there were no action by Congress within, I believe, 60 days, the status of the proclamation was described and defined, and it was not left in mid-air, as this amendment leaves it.

Mr. JOHNSON. Let me say to the Senator that his recollection is entirely at fault.

Mr. BARKLEY. I do not think so.

Mr. JOHNSON. I will ask the Senator to look it up.

Mr. BARKLEY. I have not time to do so while I am speaking.

Mr. JOHNSON. I have the amendment here, and it does not do any such thing.

Mr. BARKLEY. What does it do?

Mr. JOHNSON. What I am calling to the Senator's attention is the fact that the amendment prescribed the rule of action of the House and of the Senate.

Mr. BARKLEY. And then it provided definitely what would be the effect of no action, or of favorable action, or of unfavorable action.

Mr. JOHNSON. No; it did not do anything of the sort. We can do that here, however, if the Senator wants to do it. I do not object.

Mr. BARKLEY. I am talking about the amendment as it is.

Mr. JOHNSON. The objection has been made that we could not alter rules or prescribe rules by law. Why, of course we can. Congress can do it.

Mr. BARKLEY. Mr. President, I still insist—

The PRESIDING OFFICER. The time of the Senator from Kentucky has expired.

Mr. HASTINGS. Mr. President, I should like to suggest to the distinguished Senator from California [Mr. JOHNSON] some language to which I think the senior Senator from Kentucky [Mr. BARKLEY] probably will agree.

On April 1, 1932, an amendment was offered as a substitute by the distinguished Senator from Mississippi [Mr. HARRISON] in which the language I am about to read was used. I am particularly anxious that the Senator from Kentucky shall have his recollection refreshed with respect to the tariff bill of 1932 by section 4 of that bill; and I wish to suggest this language to the Senator from California, because I assume that it will be satisfactory to the other side:

SEC. 4. International Economic Conference: That the President is respectfully requested to initiate a movement for an International Economic Conference with a view to (a) lowering excessive tariff duties and eliminating discriminatory and unfair trade practices, and other economic barriers affecting international trade, (b) preventing retaliatory tariff measures and economic wars, and (c) promoting fair, equal, and friendly trade and commercial relations between nations; but with the understanding that any agreement, treaty, or arrangement which changes any tariff then in existence or in any way affects the revenue of the United States must first be approved by the Congress of the United States.

The President be, and he is hereby, authorized and requested, at as early a date as may be convenient to proceed to negotiate with foreign governments reciprocal trade agreements under a policy of mutual tariff concessions. Such agreements shall not become operative until Congress by law shall have approved them.

In the same bill there was a provision which maintained the flexible provision of the tariff, and also provided that nothing recommended by the Tariff Commission should be effective until approved by the Congress.

Mr. HARRISON. Mr. President, will the Senator yield there?

Mr. HASTINGS. I yield.

Mr. HARRISON. It also gave full power, however, to take a commodity from the free list and put it on the dutiable list, or to take it from the dutiable list and put it on the free list, which is not included in this proposal.

Mr. HASTINGS. Does the Senator from Mississippi mean to urge that as a distinction and the only distinction for the inconsistent position he now takes?

Mr. HARRISON. The Senator from Mississippi certainly intends to urge it as quite a distinction, because under the present proposal the President can increase or reduce the rates only 50 percent. In that proposal which the Senator's President vetoed—and which, perhaps, if it had not been vetoed, would have become the law, and in that event perhaps we would not now be discussing this bill—we gave to the Commission the right to recommend to the Congress taking an article from the free list and putting it on the dutiable list, or taking an article from the dutiable list and putting it on the free list.

Mr. HASTINGS. At any rate, under the tariff bill of 1932 no agreement with any foreign country was to become effective until it had been approved by the Congress; and the Senator from Mississippi [Mr. HARRISON], the Senator from Kentucky [Mr. BARKLEY], the distinguished Senator from Arkansas [Mr. ROBINSON], the Senator from Tennessee [Mr. McKELLAR], and the then distinguished Senator, who is now the Secretary of State, Mr. Hull, voted for that proposal. If it was important 2 years ago to have the Congress pass upon a reciprocal agreement made with a foreign country, I desire to know why it is not just as important in 1934 as it was in 1932.

Mr. HARRISON. I desire to know why the Senator voted against that amendment in 1932.

Mr. HASTINGS. For every reason in the world. I was opposing the flexible provision of the tariff which brought the matter back to the Congress; but I call the Senator's attention to the fact that that was an entirely different proposition from this. The distinguished Senator from Georgia [Mr. GEORGE] undertook to make a distinction, and both the senior and the junior distinguished Senators from Kentucky argued that this was not a change of the tariff; this was not a taxing measure at all; this was an entirely different proposition. I must confess that I could not follow the distinguished Senator when, although admitting that both measures came under section 8 of article I of the Constitution—the one providing for the levying of taxes, and the other providing for the regulation of commerce—he undertook to make a distinction between the two, and called attention to the fact that the last paragraph of that section gave Congress the authority to make all laws necessary to carry into effect the powers granted by the section.

The distinguished junior Senator from Kentucky [Mr. LOGAN] argued that because of that language of the section we might give the authority to the Senator from Ohio; we might do anything with it. The distinguished Senator from Illinois argued that we had made 77 such agreements, and that therefore we were not changing the policy at all. If the opportunity had been afforded me, I should have liked to challenge him to put into the Record evidence of a single agreement we have ever made at any time, anywhere, comparable to the agreements which might be made under the authority given here.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. HASTINGS. I have only 2 or 3 minutes.

Mr. BARKLEY. Very well.

Mr. HASTINGS. The Senator from Georgia was the only Senator on the other side, in my judgment, who stated properly the one ground the proponents of this measure had to depend upon to make it constitutional, that is, that it was specific; it must be a specific rule laid down, and as he talked about the specific rule laid down, and as I remembered that throughout this country, particularly in the last campaign, there had been a contest all over the land, those on the other side of the Chamber and those on this side distinctly disagreeing upon the question; then they laid down

that issue upon which millions of people disagree, under which it is impossible to arrive at any definite fact, and the Senator from Georgia argued that that was a reason.

I have never been particularly anxious about the flexible provision of the tariff, but the Supreme Court had said that the rule we laid down, namely, using the difference between the costs of production at home and abroad, was a sufficient rule to guide the person who was given the authority to execute that particular order, such as the President of the United States, and it did not make any difference what the particular agency was. Under the pending measure there is no rule; we cannot have any rule in any such disagreement as will exist among the people of the country.

The Senator from New Mexico [Mr. CURTING], the very first day of the debate, asked the specific question, "Where is the rule? Point out what it is?" Those on the other side say that they believe the Hawley-Smoot Tariff Act prevents the extension of foreign trade. That is what they said. The President of the United States has already decided that question, because it is said in the Democratic platform, and he said he stood by that platform. That is the truth of it, and it simply means that there is no fact to be determined.

Talk about notice to people! No notice would bring forth any fact that would be helpful to the President. The fact has already been decided. There is nothing to be determined, and we are passing the matter over to the President to do exactly as he pleases with it.

I repeat, 2 years ago it was urged that before we made any such agreement as that we must get the consent of the Congress. None of us on this side ever contended that we ought to give the President of the United States, or any other person, this great authority, and I say that it will be interesting to those on the other side, it will be interesting to the country, to read the record of the votes on this particular measure, when those on the other side are now complaining about a provision that is not so drastic as that suggested by the Senator from California and upon which we are now about to vote.

The PRESIDING OFFICER. The question is upon the amendment offered by the Senator from Wyoming [Mr. O'MAHONEY], in the nature of a substitute for the amendment offered by the Senator from California [Mr. JOHNSON]. The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question now is upon the amendment offered by the Senator from California.

Mr. JOHNSON. Mr. President, I seek to perfect the amendment by adding that which was submitted by the Senator from Oregon [Mr. McNARY]. The whole is at the desk, and I ask to have it read by the clerk.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from California as modified.

The legislative clerk read as follows:

No foreign trade agreement entered into under the provisions of this act shall become effective until submitted to the Congress by the President and approved by both the House and Senate by majority vote. The vote on such agreements shall be taken within 20 days after the President submits the agreement to the Congress. In the event that Congress shall fail to act within such period of 20 days, then said agreement shall thereupon be in full force and effect.

Mr. JOHNSON. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. FESS (when his name was called). I have a pair with the senior Senator from Virginia [Mr. GLASS], who is necessarily detained, which I transfer to the senior Senator from Connecticut [Mr. WALCOTT], and vote "yea."

Mr. OVERTON (when his name was called). On this vote I am paired with the Senator from Utah [Mr. KING]. In his absence I withhold my vote.

Mr. ROBINSON of Arkansas (when his name was called). I transfer my pair with the Senator from Pennsylvania [Mr. REED] to the junior Senator from California [Mr. McANOLD] and vote "nay."

Mr. STEPHENS (when his name was called). Making the same announcement as before regarding my pair with the Senator from Indiana [Mr. ROBINSON] and its transfer, I vote "nay."

The roll call was concluded.

Mr. LEWIS. I announce the absences, as previously announced by me, of the Senator from Florida [Mr. TRAMMELL], the Senator from California [Mr. McADOO], and the Senator from West Virginia [Mr. NEELY]. I am authorized to say that were the Senator from West Virginia [Mr. NEELY] present and voting he would vote "nay."

I also wish to announce that the senior Senator from South Carolina [Mr. SMITH] is detained at the White House.

Mr. HEBERT. The Senator from North Dakota [Mr. NYE] is paired with the Senator from Florida [Mr. TRAMMELL] on this question. I am informed that if the Senator from North Dakota [Mr. NYE] were present he would vote "yea", and that if the Senator from Florida [Mr. TRAMMELL] were present he would vote "nay."

I also wish to announce that if present and voting the Senator from Pennsylvania [Mr. REED] would vote "yea."

The result was announced—yeas, 34, nays 50, as follows:

YEAS—34

Adams	Fess	Johnson	Patterson
Austin	Frazier	Kean	Schall
Barbour	Gibson	Keyes	Steinwer
Borah	Goldsbrough	La Follette	Townsend
Carey	Gore	Long	Tydings
Cutting	Hale	McCarran	Vandenberg
Davis	Hastings	McNary	White
Dickinson	Hatfield	Metcalf	
Dill	Hebert	O'Mahoney	

NAYS—50

Ashurst	Caraway	Hatch	Russell
Bachman	Clark	Hayden	Sheppard
Bailey	Connally	Lewis	Shipstead
Bankhead	Coolidge	Logan	Stephens
Barkley	Copeland	Loneragan	Thomas, Okla.
Black	Costigan	McGill	Thomas, Utah
Bone	Couzens	McKellar	Thompson
Brown	Dieterich	Murphy	Van Nuys
Bulkley	Duffy	Norris	Wagner
Bulow	Erickson	Pittman	Walsh
Byrd	Fletcher	Pope	Wheeler
Byrnes	George	Reynolds	
Capper	Harrison	Robinson, Ark.	

NOT VOTING—12

Glass	Neely	Overton	Smith
King	Norbeck	Reed	Trammell
McAdoo	Nye	Robinson, Ind.	Walcott

So Mr. JOHNSON's amendment was rejected.

Mr. HASTINGS. Mr. President, I send to the desk an amendment, which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 5, line 15, after the word "than", it is proposed to strike out all down to and including "notice", in line 18, and to insert in lieu thereof "6 months next after the expiration of 3 years from the date of the enactment hereof."

Mr. HASTINGS. Mr. President, if this amendment should be adopted, paragraph (b), on page 5 of the bill, would read as follows:

Every foreign trade agreement concluded pursuant to this act shall be subject to termination, upon due notice to the foreign government concerned, at the end of not more than 6 months next after the expiration of 3 years from the date of the enactment hereof.

Mr. President, some days ago, in addressing myself to this bill generally, I called attention to paragraph (b), which provides that the President may enter into 3-year agreements, the present language being "at the end of not more than 3 years from the date on which the agreement comes into force."

I think, when this bill was introduced, the general impression was that it would give the President authority to enter into 3-year contracts, the 3 years being put in the bill for the purpose of emphasizing that this was an emergency measure; and, as I undertook to point out heretofore, unless some such change as this shall be made, it will be perfectly possible for the President to enter into agreements this

month, we will say, which shall run until December 1936, being 2 years and 6 months, and then at the end of that time he could enter into another contract for 3 years, which could not be ended until after another 6 months; so we would have an authority in the President to enter into contracts which may extend to a period of 6 years instead of the common understanding of 3 years.

I am suggesting 3 years in my amendment because we are all hoping and assuming that certainly the emergency will be past by the end of 3 years. The effect of this amendment will be to prohibit any agreement from being entered into which cannot be terminated within 6 months after the expiration of 3 years from the date the bill goes into effect. In other words, it provides for a period of 3 years and 6 months from the time the agreement goes into effect instead of perhaps a period of 6 years, as I have undertaken to point out heretofore.

If this amendment shall go into effect and if an agreement shall not be entered into for 6 months from this date, while it may last as long as under the provisions of the bill indefinitely, it could be terminated at the end of 2 years and 6 months; so that if the President should not make an agreement until 1 year from now, that particular agreement could be terminated at the expiration of 2 years from that date.

I hope I have made my position clear. I do not care to argue the amendment further than I have.

Mr. BORAH. Mr. President, does the Senator yield?

Mr. HASTINGS. I yield.

Mr. BORAH. Does the Senator think that Congress will not have power to terminate these agreements whenever Congress gets ready to do so?

Mr. HASTINGS. If this shall be valid law I have no notion that Congress can cancel these agreements.

Mr. BORAH. Congress can pass another act the same as it can pass this act. We certainly cannot legislate so Congress cannot legislate again.

Mr. HASTINGS. If the President has authority and the President exercises the authority and enters into a valid agreement with a foreign government, I assume that Congress itself would not feel perfectly free to cancel it.

Mr. BORAH. That might be true as a matter of policy, but as a matter of authority it undoubtedly would have a right to pass the law. These people will take these agreements as the result of a legislative act, and if Congress sees fit it may repeal the act and terminate all agreements.

Mr. HASTINGS. I suppose it may be said that the Congress has the right to repudiate all the treaties which have been made with foreign countries.

Mr. BORAH. It has the right to terminate them; besides, bear in mind, the authors of this legislation claim these are not treaties but mere agreements.

Mr. HASTINGS. It has the right to terminate them regardless of their term, but I am assuming for the purpose of the discussion of this proposed legislation that if it be held to be constitutional, and these agreements are entered into, the people of this country will insist upon the agreements being lived up to. That is what I assume to be true.

Mr. HARRISON. Mr. President, I hope this amendment will be voted down, because if these agreements work, and are beneficial to the United States, I believe the American people will want them to continue a little longer, rather than to be terminable 6 months after the 3 years.

Mr. HASTINGS. Mr. President, I am sure the distinguished chairman of the committee has not quite understood my amendment. It does not in any sense terminate them. It simply gives the right to terminate them.

Mr. HARRISON. I know it does not terminate them, but the Senator's amendment provides that 6 months after 3 years from the enactment of the legislation they shall be terminable. Under the proposal we make they are terminable after 3 years from the passage of the bill; and they can be canceled after 6 months' notice, and so forth, if they are not advantageous. It seems to me that if the effects are good, after the 3 years we may desire to continue some of

these agreements. I can imagine now that my friend from Delaware will be in this Chamber 3 years from now, if he does not come up for election between now and that time—and I do not believe he does—and that we shall hear him pleading eloquently for the continuation of some of these agreements.

Mr. HASTINGS. Mr. President, the argument of the Senator from Mississippi is inconsistent with his own understanding of this amendment. He says the agreement is terminable. There is nothing in this amendment which changes the provision of the bill which says that "every foreign-trade agreement concluded pursuant to this act shall be subject to termination upon due notice to the foreign government concerned at the end of not more than", and so forth. There is nothing in the bill which makes an agreement terminable before that; but does not the Senator agree with me that it is possible under this bill as it stands for the present President to make two agreements with one country which will last for a period of 6 years, which cannot be terminated by another President?

Mr. HARRISON. Oh, I think an agreement might last 6 years from the enactment of the act; but we have a right to cancel it at any time by giving notice, and so on.

Mr. HASTINGS. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. The yeas and nays are demanded. Is the demand seconded?

The yeas and nays were not ordered.

Mr. HASTINGS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. HARRISON. Mr. President, did the Chair hold that the demand for the yeas and nays was not sufficiently seconded?

The PRESIDING OFFICER. Yes; that was the ruling of the Chair.

Mr. HARRISON. Then, Mr. President, we will help out those who made the demand, and will support it.

Mr. HASTINGS. Very well, Mr. President; I withdraw the request for a quorum.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. FESS (when his name was called). Making the same announcement which I previously made with regard to my pair with the senior Senator from Virginia [Mr. GLASS], I withhold my vote.

Mr. OVERTON (when his name was called). Making the same announcement as previously with respect to my pair with the Senator from Utah [Mr. KING], and, in his absence, not knowing how he would vote if present, I withhold my vote.

Mr. ROBINSON of Arkansas (when his name was called). Announcing my pair with the Senator from Pennsylvania [Mr. REED], and its transfers as on previous votes, I vote "nay."

The roll call was concluded.

Mr. LEWIS. I beg to reannounce the absence of the Senators whose absence I announced earlier today, and for the reasons then given, to which on this vote I am authorized to say for the Senator from West Virginia [Mr. NEELY] that if present he would vote "nay."

I wish further to announce that the Senator from South Carolina [Mr. SMITH] is detained at the White House, the Senator from Wisconsin [Mr. DUFFY], the Senator from Montana [Mr. WHEELER], and the Senator from North Carolina [Mr. REYNOLDS] are necessarily absent on official business.

Mr. STEPHENS. Making the same announcement as on the previous vote with regard to my pair and its transfer, I vote "nay."

Mr. HEBERT. I wish to announce the general pair of the Senator from North Dakota [Mr. NYE] with the Senator from Florida [Mr. TRAMMELL]; also that the Senator from Pennsylvania [Mr. REED] is paired with the Senator from California [Mr. McADOO] by transfer. If present, the Senator from Pennsylvania would vote "yea."

The result was announced—yeas 26, nays 54, as follows:

YEAS—26

Austin	Gibson	Kean	Steiwer
Barbour	Goldsborough	Keyes	Townsend
Carey	Hale	Long	Vandenberg
Cutting	Hastings	McNary	Walcott
Davis	Hatfield	Metcalfe	White
Dickinson	Hebert	Patterson	
Frazier	Johnson	Schall	

NAYS—54

Adams	Capper	Harrison	Pope
Ashurst	Caraway	Hatch	Robinson, Ark.
Bachman	Clark	Hayden	Russell
Bailey	Connally	La Follette	Sheppard
Bankhead	Coolidge	Lewis	Stephens
Barkley	Copeland	Logan	Thomas, Okla.
Black	Costigan	Loneragan	Thomas, Utah
Bone	Couzens	McCarran	Thompson
Borah	Dieterich	McGill	Tydings
Brown	Dill	McKellar	Van Nuys
Bulkley	Erickson	Murphy	Wagner
Bulow	Fletcher	Norris	Walsh
Byrd	George	O'Mahoney	
Byrnes	Gore	Pittman	

NOT VOTING—16

Duffy	McAdoo	Overtton	Shipstead
Fess	Neely	Reed	Smith
Glass	Norbeck	Reynolds	Trammell
King	Nye	Robinson, Ind.	Wheeler

So Mr. HASTINGS' amendment was rejected.

Mr. BARBOUR. Mr. President, I should like to call up an amendment to section 4 of the bill of which I gave notice about 3 months ago, and I ask that it may be read.

The PRESIDING OFFICER. The amendment will be read for the information of the Senate.

The CHIEF CLERK. On page 6, line 10, after the word "designate", it is proposed to insert "at a public hearing, said hearing to be public unless the President shall determine and declare that a public hearing is not in the public interest and".

Mr. BARBOUR. Mr. President, I am not going to speak any further on this amendment at this time as I have already discussed it earlier this afternoon, and I do not insist on a record vote because there are others who have amendments they wish to offer and the time is short, as we must have a final vote at 5 o'clock.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from New Jersey.

The amendment was rejected.

Mr. BARBOUR. Mr. President, I offer another amendment.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 6, following section 4, it is proposed to add the following new section:

SEC. 5. That the terms of this act shall not be invoked as to any commodity, article, or merchandise which is necessary or essential to the proper equipment or supply of the Army, Navy, or the Public Health Service, or to any of their associated departments or corps.

Mr. BARBOUR. Mr. President, I am offering this amendment in the light of my memory of what happened in 1917 when the United States entered the World War. At that time, our Army and Navy, as well as local defense and training camps, were practically without certain types of scientific apparatus, such as hypodermic syringes, chemical glassware, coal-tar medicinals, and various other equipment on which we had relied for our supply wholly upon Germany and other foreign countries. In drafting the Tariff Act of 1922, Congress, with the full cooperation of the heads of the various branches of our Government, provided duties, upon the ground of national defense, which would foster an industry in this country in every line of war necessity against the day when, God forbid, we may be called upon to equip a vast army or provide for national defense. The record in Congress with reference to the Tariff Act of 1922 and again in 1930, will clearly show that these rates were not placed in the tariff act as a matter of political or industrial logrolling, but, as I have said, at the request of heads of Government departments. It would, therefore, seem to me to be extremely dangerous and against public

policy to permit the provisions of this bill to apply to any article of supply or equipment necessary for those arms of our Government enumerated in this amendment which are so vitally interested in our national defense.

Mr. HARRISON. Mr. President, of course if this amendment should be adopted, almost everything being connected in one way or another, directly or indirectly, with the Army and Navy and the Public Health Service, it would take about everything out of negotiation, and it would make the bill almost inoperative. I hope the amendment will be voted down.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Jersey.

The amendment was rejected.

Mr. BARBOUR. I offer another amendment.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 3, line 18, it is proposed to insert the following:

And provided further, That nothing in this section shall apply to manufactured products of any country or countries which are produced and/or distributed by any producing and/or distributing agency, however and wherever formed and doing business, which is party to, or the subsidiary of a party to, any combination, agreement, cartel, or other arrangement designed or having the effect to promote monopoly, control prices and/or markets, or restrain trade, either in the country where such producing and/or distributing agency is located or elsewhere.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Jersey.

Mr. BARBOUR. Mr. President, in submitting this amendment, I should like to read an excerpt from a report written by Dr. C. C. Concannon, Chief of the Chemical Division, Bureau of Foreign and Domestic Commerce, Department of Commerce, as follows:

For the first time since Germany's pre-war supremacy, the European coal-tar dye industry presents a solid front in the trade marts of the world. Predominant national groups in the dye industries of Germany, Switzerland, France, Italy, Spain, and now Great Britain and Poland are directly linked in a general accord for the world-wide marketing of their products. The pact, however, is only the framework of a control rendered more effective by the ramification of German, Swiss, and French plants in other producer countries, and through the interrelations of the administrative organizations of member groups with other industries subject to international agreements, the whole structure comprising a single complicated, but definitely woven, pattern centered around the world's largest dye producer.

The European dye cartel of today is the latest development of a careful plan initiated in 1927 as a Franco-German dye-marketing agreement, to which Swiss producers definitely became a party in 1929. Spain automatically came under the control of the convention when its dye industry was acquired by German interests, while German and Swiss ownership in Italian dye factories aided in the final inclusion of Italy in 1931. After years of negotiation, Great Britain recently became a signatory country, with Poland becoming the seventh and latest member of the entente. Only two European producers of importance remain outside the direct control of the pact—Russia, which is said to consume all of its own output, and Czechoslovakia, whose exports are comparatively insignificant in world trade.

This amendment is aimed at prevention of our entering into trade agreements with what is a recognized well-established international monopoly, in relation to dyes particularly. We talk a great deal here on the floor of the Senate about monopolies and how we must prevent monopolies. And always be against monopolies; everyone here is opposed to monopolies.

Now, we realize, if we are frank enough to admit it, that there is this great international well-organized combination in relation to the whole dye industry. I feel, therefore, it is only fair and sensible that the amendment should be adopted to prevent the United States Government doing what it would not allow its citizens to do; that is, entering into an agreement with this great monopoly.

Mr. HARRISON. Mr. President, the bill now before us does not in any wise affect section 337 of the tariff act which gives the President power to deal with unfair practices in foreign countries; neither does it affect section 338, where the President is given the power to fight monopolies. It seems to me we ought not to encumber the legislation with the question of cartels.

Mr. BARBOUR. Mr. President, I ask for a vote on my amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Jersey.

The amendment was rejected.

Mr. WHITE. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be read.

The CHIEF CLERK. It is proposed, on page 6, after line 16, to insert the following:

SEC. 5. That upon all articles imported into the United States through a country contiguous to the United States, from another country foreign to the United States and transshipped from said contiguous country to the United States, there shall be levied, collected, and paid upon the importation of said articles into the United States a special tax or duty of 10 percent upon the value thereof. If said articles are otherwise subject by law to a duty, the special duty herein authorized shall be in addition thereto.

In the event that any country contiguous to the United States imposes on articles imported into that country through the United States from a country foreign to the United States and transshipped from the United States to said contiguous country, the same duties as would be imposed if the goods arrived directly at one of its own ports, then the provisions of this section, upon proclamation by the President, shall be suspended from time to time as to the contiguous country extending such reciprocal privileges.

Mr. WHITE. Mr. President, it is quite impossible in the time at my disposal to discuss at any length the merits or demerits of the pending bill, but I desire my conclusion with respect to it to be a matter of record.

I am opposed to the proposed legislation. My opposition rests on principle, but in this particular instance adherence to principle is the easier because of my conviction that any trade agreement negotiated with Canada—and I believe such a trade arrangement is in contemplation—would be at the expense of the industry, of the agriculture, of the fisheries of my State, and of all the people thereof interested in and dependent thereon.

Mr. President, there are trade advantages other than those asserted to be found in this bill which can be secured to the United States through insistence upon equality of treatment in trade practices. The amendment which I have offered seeks such equality.

For many years imports entering the United States by way of Canada have done so upon precisely the same basis as the imports entering the United States directly through its own ports. But we find that since 1927 Canada has been according a preferential tariff rate on goods entering Canada direct through her own sea and river ports. The manifest purpose and the effect of this practice is to divert imports into Canada from American ships, American ports, and American railroads, to her own ports.

Originally this preference to Canada was reserved to members of the British Empire, but it has now been extended to the world. The precise effects of this Canadian policy cannot be stated. It is certain, however, that there has been a substantial shrinkage in Canadian importations through American ports in recent years. Specific instances of diversion since this preference has been given can be cited.

The distinguished Senator from Massachusetts [Mr. WALSH] called the attention of the Senate, a few years since, to the unhappy consequences of this Canadian policy upon the port of Boston and upon an American shipping company, Government vessels in fact, serving that port. He placed in the RECORD a statement covering four specific commodities showing the duties assessed when the goods moved through Canadian ports and the duties assessed when the goods moved into Canada via the United States. The difference in these duties was sufficient to preclude the possibility of an American ship and an American port securing this business.

Large quantities of bananas formerly shipped through Atlantic ports of the United States into Canada under the preferential system could be imported direct through a Canadian port at a tariff charge of 50 cents less per bunch. Butter shipped from Australia to Canada if entered at Vancouver is charged a duty of 1 cent per pound, but if trans-

shipped from an American port 4 cents per pound, or a difference of \$60 a ton in the imposed duty. There are other instances to which reference might be made. Trade from South America and from the East which formerly moved into Canada through American ports has been most adversely affected by this discrimination.

The Pacific coast is equally interested with Atlantic ports in this problem. I have already referred to shipments of butter from Australia. I note that importations of silk into this country through Canadian ports and by Canadian railroads have shown a marked increase. Probably over a third of the silk imported so enters this country. Why does this American trade come to us through Canada instead of through our own Pacific-coast ports? In the last analysis it is because it can be done upon precisely the same terms in the one case as in the other.

But I ask why should we suffer the loss of this traffic to our facilities through this equality of importing opportunity while Canada adopts a policy which denies such equality of treatment to goods entering Canada by an American port and an American railroad? The principle involved is what I chiefly complain of. I can see no reason why we should continue to permit imports to enter the United States through Canada without tariff surcharge while the Canadian practice is the reverse. The question presented by the amendment now before the Senate is whether the American rule shall be longer followed in the absence of a reciprocal policy on the part of Canada. No justification for it can be found.

The amendment proposes to impose a tariff surcharge of 10 percent upon imports entering the United States through Canada, subject to suspension by the President of such surcharge when it appears that Canada imposes the same duties upon imports passing through the United States into her territory as are imposed if the goods arrive directly at its own ports.

If we are to have reciprocity, the amendment definitely assures it at least in this one particular. We should secure this certain gain by the adoption of the amendment I have submitted. Its adoption by the Senate would evidence a decent regard for American rights and for American interests.

Mr. President, I very much hope the Senator from Mississippi [Mr. HARRISON] will accept the amendment, take it to conference, and, if he has not already given the subject matter the study which it desires, that he will there give the matter his further attention.

Mr. HARRISON. Mr. President, I am in sympathy with the object of the Senator from Maine; but if we can pass this bill, the matter referred to by the Senator is one of the things about which we may negotiate arrangements with Canada—namely, the elimination of this duty. Therefore, I hope this amendment will not be adopted.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Maine [Mr. WHITE].

The amendment was rejected.

Mr. DAVIS. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 3, after line 16, it is proposed to insert:

(b) No agreement under the provisions of this act shall be concluded with any foreign country with respect to articles in the production of which labor standards, as reflected in wages, living scales, and labor costs, are lower than those which obtain in the production of the comparable articles in the United States.

(c) The United States Tariff Commission shall determine in each instance whether the specified conditions have been met.

On page 3, line 17, strike out "(b)" and insert "(e)."

On page 2, line 9, after the word "whenever" insert "after investigation by the Tariff Commission and conferences by said Commission with parties in interest."

Mr. DAVIS. Mr. President, this amendment provides that no agreement under the provisions of the act shall be concluded with any foreign country with respect to articles in the production of which labor standards, as reflected in

wages, living scales, and labor costs are lower than those which obtain in the production of the comparable articles in the United States.

I do not care for a record vote, but I ask to have the question put on the amendment.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Pennsylvania [Mr. DAVIS].

The amendment was rejected.

Mr. DAVIS. I send to the desk another amendment which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to insert a new section, as follows:

SEC. —. No foreign-trade agreement shall be entered into under the provisions of this act with respect to laces or braids, made on a braiding machine, classified under paragraph 1529 (a) of the Tariff Act of 1930.

Mr. DAVIS. Mr. President, the workers in this industry now have only about 2 days' work a week; and I cannot quite understand why we should in any way share this work with workers in a foreign land.

Shoe laces, and braid made on a braiding machine suitable for use as shoe laces, constitute a very important industry in the United States, and give employment to a large number of people.

I ask for a vote on the amendment.

Mr. HEBERT. Mr. President, I have an amendment similar to the one proposed by the Senator from Pennsylvania, though I wish to discuss the amendment now before the Senate.

The braid industry is domiciled in large part in the State of Rhode Island. Normally it employs about 3,000 people, of whom one-half are citizens of my State. It operates under the minimum-wage schedules, hours of labor, and productive machines of the cotton-textile code adopted in March 1934.

Up to 1933 there was a very considerable foreign market for braids manufactured in this country; but subsequent thereto the Japanese products began to come into the United States, reaching a volume of 11,000 gross laces per month during January and February 1934.

From a statement which has been furnished me by those engaged in the industry, I find that importations of Japanese laces have increased from 420 gross laces in July 1933 to an average of 11,000 gross laces a month during January and February 1934. This statement goes on to say that the average value of a gross of Japanese laces is 0.64 yen, or about 20 cents at the prevailing rates of exchange.

The industry has a protective duty of 90 percent, and that makes the landing cost to the importer approximately 40 cents a gross. Several wholesalers in New York City are now offering Japanese laces at 45 cents a gross, but the domestic cost is now between 60 and 65 cents a gross. The industry applied for relief under section 3 (e) of the N.R.A. but has withdrawn its application.

I submit that unless we are prepared to afford that degree of protection to this industry—not large, it is true, and yet very considerable in the part of the country where it functions—there is no assurance that it can continue. The fact is, as I understand, that most of the factories now are operating on a schedule of about 2 days a week. The wages have been maintained at a high level, and the manufacturers desire to continue that treatment afforded to their operatives; but manifestly they cannot do so and compete with importations from Japan, where the scale of wages is all out of proportion to that which obtains in the United States.

I submit the amendment for the consideration of the Senate, and I urge upon Senators its importance to the industry.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Pennsylvania [Mr. DAVIS].

The amendment was rejected.

Mr. DAVIS. Mr. President, I send to the desk an amendment which has been offered by my colleague [Mr. REED], and ask that it be read and a vote taken upon it.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 3, following line 22, it is proposed to insert:

Provided, That no earthenware, crockeryware, china, porcelain, or any of the ware, and manufactures thereof, referred to and described in paragraphs 211 and 212 of the Tariff Act of 1930, shall be permitted to be imported into the United States and its possessions, in excess of 30,000 dozens, or 360,000 pieces from any country during any calendar month. The Secretary of the Treasury shall issue the necessary regulations to the collectors of the ports accordingly.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Pennsylvania [Mr. DAVIS] on behalf of his colleague [Mr. REED].

The amendment was rejected.

Mr. HASTINGS. Mr. President, I send to the desk a revision of two or three amendments that were printed at the request of the senior Senator from Pennsylvania [Mr. REED].

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 11, after the word "duties", it is proposed to strike out "or other import restrictions."

On page 2, lines 20 and 21, it is proposed to strike out "and other import restrictions or such additional import restrictions."

On page 3, line 4, it is proposed to strike out "and other import restrictions."

On page 4, it is proposed to strike out paragraph (c), lines 7 to 12, inclusive.

Mr. HASTINGS. Mr. President, I will say to the chairman of the committee that the purpose of this amendment is to strike from the bill all authority with respect to import restrictions. The Senate will recall that that subject has been discussed a great deal, especially on this side of the Chamber, particularly by the junior Senator from Oregon [Mr. STEIWER] as well as by myself.

I do not think it is worth while to argue the matter further, because the discussion is all in the RECORD. I presume the chairman of the committee is not willing to accept the amendment.

Mr. HARRISON. Mr. President, I may say to the Senator that I could not accept the amendment. We gave a great deal of consideration to it. Those who conceived the bill gave consideration to it; and I think it would weaken the bill very much if such an amendment should be adopted.

Mr. HASTINGS. I shall not argue the matter, and do not care to have a roll call on the amendment. I merely ask that the question be put on the amendment.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Delaware.

The amendment was rejected.

Mr. HASTINGS. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. It is proposed to insert in the bill, at the proper place, the following language:

Provided, That nothing in this act shall authorize the President to change the present form and method of valuation of imports for duty purposes.

Mr. HASTINGS. Mr. President, I called attention to the fact that I understood there was some doubt as to whether it was intended to give to the President, under this bill, authority to change the present method of valuation. That is, I contended some days ago that in the present form of the bill the word "form" meant to give to the President certain authority with respect to the method of valuation, whether it should be the foreign valuation or the American valuation. This amendment is proposed for the purpose of making certain that there shall be no change in the present method of arriving at valuation. I think it is very important.

As I said to the Senate when I was discussing the bill as a whole, the chemical industry in particular has an American valuation. It is a very serious thing to create the uncertainty that will surely come from giving to the President the power to make agreements changing articles in that schedule and others from an American valuation to a foreign valuation.

I do not care to discuss the question further, but I hope that if my thought about it is correct, if that is what the bill provides, and that was not the intent of those who framed the bill, this amendment will be accepted and at least go to conference.

Mr. HARRISON. Mr. President, I hope there will be no conference on the bill. This would change one of the important powers we give to the President, namely, the matter of the change in valuation.

Mr. HASTINGS. And it was intended to give him that power?

Mr. HARRISON. It was intended to give him that power, not only to change the rates but classifications also. I hope the amendment will be rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Delaware.

The amendment was rejected.

Mr. HASTINGS. Mr. President, I send to the desk another amendment, to be known as "section 5" of the bill.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. It is proposed to add the following new section:

SEC. 5. In order to make effective sections 1 and 2, the President is hereby authorized and directed, before concluding any reciprocal or foreign-trade agreements under this act, to notify all nations with which the United States has commercial treaties or conventions that so much of such treaties as provides for equal tariff treatment or unconditional trade opportunity will terminate on the expiration of such periods as may be required for the giving of notice by the provisions of those treaties or conventions, and that hereafter agreements entered into by the United States with foreign governments or instrumentalities thereof embodying reciprocal-tariff rates will be limited to the foreign governments or instrumentalities with whom such agreement was entered.

Mr. HASTINGS. Mr. President, my understanding is that we have unconditional promises with at least 30 countries, including such countries as Austria, Czechoslovakia, Germany, Norway, Poland, Spain, Brazil, Chile, and China. As long as we must automatically extend to these countries any concession we make to any other country, we are in a bad bargaining position. In our bargain with Colombia we presumably get some concession for the promises we give, but this bargain has become a promise to Brazil for nothing. Every time we make an agreement with some one country, the benefits are extended to others for no return, and our bargaining power is weakened.

It has been suggested that our bargains be limited to the products which are supplied chiefly by the country with which the bargain is made, but this policy has not been observed in the case of Colombia. We have also shown in the RECORD that this policy is not observed in the list of countries and commodities that have been selected and offered by the administration to accord with this principle.

If we are going to approve this bill, I urge the Senate to put our Government in the position of being able at least to bargain on a more equal footing than would be possible if we are going to have to continue to extend favors granted one country for a concession to another 29 countries without concession.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Delaware.

The amendment was rejected.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who announced that today, June 4, 1934, the President approved and signed the following acts:

S. 195. An act respecting contracts of industrial life insurance in the District of Columbia;

S. 1757. An act to amend an act entitled "An act to incorporate the Mount Olivet Cemetery Co. in the District of Columbia";

S. 2508. An act authorizing the Secretary of the Interior, with the approval of the National Capital Park and Planning Commission and the Attorney General of the United States, to make equitable adjustments of conflicting claims between the United States and other claimants of lands along the shores of the Potomac River, Anacostia River, and Rock Creek in the District of Columbia;

S. 2580. An act to exempt from taxation certain property of the National Society United States Daughters of 1812 in the District of Columbia;

S. 3257. An act to change the designation of Four-and-a-half Street SW. to Fourth Street; and

S. 3442. An act to dissolve the Ellen Wilson Memorial Homes.

RECIPROCAL-TARIFF AGREEMENTS

The Senate resumed the consideration of the bill (H.R. 8687) to amend the Tariff Act of 1930.

Mr. HARRISON. Mr. President, I should like to offer a clarification amendment, and I offer it at the suggestion of those who have directed this legislation. The amendment is to come on page 4, line 20, after the word "act", where I propose to insert a comma and the following language: "or to any provision of any such agreement."

The purpose of the amendment is as follows: In 1922 we gave the privilege to producers in this country, or other parties interested, of taking certain appeals when there was an importation of goods into this country, whether it was with reference to valuation, or classification, or the amount of tariff duties imposed. That was broadened greatly, as those who were here in 1930 will recall, so that any producer could interpose a protest when goods were brought into this country, and would have the right of appeal to the courts, which might interfere with importations and might delay a matter indefinitely. The object of this amendment is merely to remove those restrictions which are in the present law from the operation of the proposed trade agreements.

Mr. HEBERT. Mr. President, as I listen to the explanation made by the Senator, I assume that the privilege which the law now extends to American producers to interpose objections to changes made in the tariff act in pursuance of the provisions of the law now in force will be removed entirely?

Mr. HARRISON. So far as the proposed trade agreements are concerned, the object is not to permit any person to come in and destroy the effect of a trade agreement by interposing some objection when goods come in from some country with which we have such an agreement, whether it is directed against a classification, or valuation, or what not, and taking an appeal and tying the matter up in the courts indefinitely. That is the object of the amendment.

Mr. HEBERT. In other words, the protection afforded to American manufacturers under the tariff law of 1930, so far as articles subjected to the operations of this measure are concerned, is to be removed by the proposed amendment?

Mr. HARRISON. So far as the trade agreements are concerned. Otherwise they would have no effect.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Mississippi.

The amendment was agreed to.

Mr. HARRISON. Mr. President, I have another amendment to propose, of which I desire to make some explanation. The Senate can do with reference to the amendment whatever it pleases. It is with reference to a clarification of excise duties.

It will be noted that, so far as tariff rates are concerned, the President has the power to increase or lower them by 50 percent; but as to excise taxes, they may be continued. It was the intention of those who framed the legislation, and of the House in passing the bill, that they would be frozen; in other words, they might not be modified.

There were adopted in 1923, I believe it was, what were termed "excise taxes", or were carried into the law as

excise taxes, but some question has been raised as to whether or not they are excise taxes or import taxes. The four items concerned were lumber, coal, oil, and copper. So, to remove any doubt as to what the intention was, I have an amendment to offer which will clarify the matter; and if the amendment shall be adopted, it will freeze those four items. In other words, the duties cannot be increased and the duties cannot be lowered. It will be recalled that as to those four items the provision of law will expire in June of next year.

Mr. COUZENS. Mr. President, will the Senator yield?

Mr. HARRISON. I yield.

Mr. COUZENS. Does that leave open the changing of the excise tax on coconut oil?

Mr. HARRISON. No; the tax on coconut oil is not involved at all.

Mr. COUZENS. If those four items are excluded, what is the implications with respect to the others?

Mr. HARRISON. There was a processing tax on coconut oil, and that is not affected by the bill at all. Coconut oil is not affected by this amendment.

Mr. JOHNSON. Mr. President, may I inquire of the Senator what the four items are, the duties upon which are now to be frozen by this bill?

Mr. HARRISON. All excise taxes are frozen by this bill.

Mr. JOHNSON. I understood the Senator to name certain items.

Mr. HARRISON. It was pointed out that some question was raised as to whether or not those four items which were carried in the 1932 act, namely, lumber, copper, coal, and oil, would be affected, and whether the duties on them could be raised or lowered.

Mr. JOHNSON. Did the Senator name lumber, coal, and oil?

Mr. HARRISON. Coal, oil, lumber, and copper. Those four are carried in the law as bearing excise taxes, and some question has been raised as to whether or not they are in fact excise taxes. In order to remove any doubt and to clarify the matter, I have offered this amendment.

Mr. BORAH. Mr. President, is it the understanding that if this amendment is agreed to, then the excise taxes upon these four articles in particular cannot be interfered with in any way whatever?

Mr. HARRISON. They cannot be increased and they cannot be lowered.

Mr. BORAH. Just why does the Senator single out those four items?

Mr. HARRISON. The reason is that all excise taxes are frozen in this bill. We do not propose to disturb excise taxes at all. The President is given the power with reference to import duties, and it was because the impression prevailed that on these items there were excise taxes that I offered the amendment. They are carried in the law as being subject to excise taxes.

As a matter of fact, there is very grave doubt as to whether they are or not. In my opinion, they are not excise taxes, but I do not wish to mislead anyone in the Senate about the matter at all, and I stated that they were excise taxes. That is the reason why I have offered this amendment.

The Senator will recall, of course, that I did not favor the tax on any one of those four items. I was one of those who signed the minority report, and one of those who opposed the taxes, and voted against every one of them. They expire in June 1935.

Mr. HASTINGS and other Senators addressed the Chair.

The VICE PRESIDENT. Does the Senator from Mississippi yield; and if so, to whom?

Mr. HARRISON. I yield to the Senator from Delaware.

Mr. HASTINGS. Mr. President, I reached the definite conclusion that the language in this definition of "excise taxes other than duties" had specific reference to excise taxes; not to these four items in particular.

Mr. HARRISON. It did not. It referred to excise taxes; but a great many thought these four items were excise taxes. They are carried in the law as excise taxes. Upon

looking into them, I find that they are subject to two constructions. My judgment is that they should not be held to be excise taxes.

Mr. HASTINGS. I read into the Record a great many things that were taxed, such as playing cards, yachts, and what not. There is a special tax on them. What I desire to know is whether or not the language used in this definition was intended to give the President power over those particular taxes.

Mr. HARRISON. The kind of taxes styled "excise taxes" were not to be affected. They were not to be increased or lowered. They were frozen, in other words.

Mr. HASTINGS. The bill does not so provide.

Mr. HARRISON. The language of the bill on page 2 is:

To proclaim such modifications of existing duties and other import restrictions, or such additional import restrictions, or such continuance, and for such minimum periods, of existing customs or excise treatment of any article covered by foreign-trade agreements,—

And so forth.

Mr. ASHURST. Mr. President, I have taken no time on the bill; and we are to vote, I believe, in 10 minutes. Will not the Senator from Mississippi withdraw this amendment? I do not want to be required to speak against the amendment, but there are a dozen Members on this side of the Chamber who ought to do so, and we have only 10 minutes.

Will the Senator now at the last hour draw a dirk? Will the Senator please withdraw his amendment? Is the Senator proposing to go to the country with a bill which will preclude the President from raising the tariffs on oil, copper, and lumber?

I oppose that amendment. No man who pretends to be fair would, after discussion upon this bill has been practically completed, draw from his breast a dirk against these great industries.

I have always been in favor of a proposal to give the President the power to raise tariffs and lower them, to get away from logrolling; and it ill becomes the able Senator at this hour, when no one can make a reply to him, to propose such an amendment. It is conceived in iniquity, it is born in sin, and generated in unfairness.

Mr. HARRISON. Mr. President, there are only a few minutes remaining before the time for voting. I desire to say to the Senator from Arizona that I have offered this amendment in order to help his contention. I shall gladly withdraw the proposal.

Mr. ASHURST. The Senator will pardon me. I have only 3 minutes on this bill.

Mr. HARRISON. If the Senator desires to have the amendment withdrawn, I shall be delighted to withdraw it.

Mr. ASHURST. I desire to have any amendment withdrawn which precludes the President from raising the tariff on copper.

Mr. HARRISON. I withdraw the amendment.

The VICE PRESIDENT. The amendment is withdrawn.

Mr. HASTINGS. Mr. President, I desire to offer another amendment.

The VICE PRESIDENT. The Senator from Delaware.

Mr. LONG. Mr. President—

The VICE PRESIDENT. Does the Senator from Delaware yield to the Senator from Louisiana?

Mr. HASTINGS. I yield.

Mr. LONG. Will not the Senator from Delaware permit me to send an amendment to the desk? I desire to send to the desk the amendment which the Senator from Mississippi withdrew, because we were given to understand that the amendment would be offered.

Mr. HASTINGS. I was trying to do the same thing.

Mr. LONG. Let me send it to the desk.

The VICE PRESIDENT. Does the Senator from Delaware yield for the purpose of permitting the Senator from Louisiana to offer an amendment?

Mr. HASTINGS. I yield.

The VICE PRESIDENT. The Senator from Louisiana offers an amendment, which will be stated.

The LEGISLATIVE CLERK. On page 4, line 12, after the word "imports", it is proposed to insert a semicolon and the following:

except that the term does not include excise taxes imposed under the provisions of paragraphs (4), (5), (6), and (7) of subsection (c) of section 601 of the Revenue Act of 1932, as amended.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Louisiana.

Mr. ASHURST. Mr. President, I ask for the yeas and nays on that amendment.

Mr. LONG. Mr. President, I am willing to have a yeas-and-nays vote on the amendment. I desire to be heard for a minute.

Mr. ASHURST. Mr. President, will the Senator yield to me for a moment? I am willing to take my chances. I am willing to leave it to Franklin D. Roosevelt as to whether or not the tariff shall be increased.

Mr. LONG. Mr. President, I refuse to yield.

The VICE PRESIDENT. The Senator from Louisiana declines to yield.

Mr. LONG. I have but 5 minutes, and the Senator from Arizona has already spoken for 5 minutes.

Mr. President, we were given to understand and we were assured that copper, oil, coal, and lumber would not be affected by this bill; and, as one of the Senators who had received this assurance—

Mr. CLARK. Mr. President, will the Senator yield?

Mr. LONG. No; I will not yield, Mr. President. I have only 5 minutes.

Mr. CLARK. I should like to know what effect the assurance the Senator received had on him. He apparently is not going to vote for the bill, anyway.

Mr. LONG. Mr. President, I do not know what effect it had, except that I took them at their word.

Mr. HARRISON. Mr. President, the Senator will recall that I withdrew the amendment.

Mr. LONG. I am not censuring the Senator from Mississippi. I am offering his amendment, which I presume he will support. I believe he will.

Mr. President, we were told that these commodities would be protected because the tariffs we have on oil and lumber and coal and copper are very necessary. A number of Senators and I fought here many nights and many days to get tariffs on these items, and we want to protect them. We were assured that they would be protected. Today, as an example, notwithstanding the fact that it is said we have an overproduction of oil in America, none the less we are importing into the country 260,000 barrels of oil a day. Notwithstanding all our lumber trouble and the cheapness of lumber, lumber is still being imported. We were told, and we believed, and I am sure Senators mean to stick by it, that we should have this tariff protection, and it would be disastrous to us if it were not given to us.

I ask for the yeas and nays, Mr. President.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. FESS (when his name was called). Repeating my statement made previously with reference to my pair, I withhold my vote.

Mr. LEWIS (when Mr. NEELY's name was called). I am authorized to state that were the Senator from West Virginia [Mr. NEELY] present, he would vote "nay."

Mr. ROBINSON of Arkansas (when his name was called). Announcing the same pair and its transfer as on previous votes, I vote "nay."

Mr. STEPHENS (when his name was called). I repeat my former announcement as to my pair and transfer and vote "nay."

The roll call was concluded.

Mr. HEBERT. The senior Senator from Pennsylvania [Mr. REED], if present, would vote "yea" on this question. He is paired with the Senator from California [Mr. McAnool], as announced by the transfer of the pair of the Senator from Arkansas [Mr. ROBINSON].

Mr. OVERTON. I inquire if the senior Senator from Utah [Mr. KING] has voted?

The VICE PRESIDENT. That Senator is not recorded as having voted.

Mr. OVERTON. I am paired with that Senator and in his absence withhold my vote.

Mr. LEWIS. I wish to announce that the senior Senator from Oklahoma [Mr. GORE] is detained on official business.

The result was announced—yeas 29, nays 57, as follows:

YEAS—29

Austin	Fletcher	Johnson	Thomas, Okla.
Barbour	Frazier	Kean	Townsend
Carey	Gibson	Keyes	Vandenberg
Coolidge	Goldsbrough	Long	Walcott
Couzens	Hale	McNary	White
Cutting	Hastings	Metcalf	
Davis	Hatfield	Schall	
Dickinson	Hebert	Steinwer	

NAYS—57

Adams	Caraway	Logan	Russell
Ashurst	Clark	Louderman	Sheppard
Bachman	Connally	McCarran	Shipstead
Bailey	Copeland	McGill	Smith
Bankhead	Costigan	McKellar	Stephens
Barkley	Dieterich	Murphy	Thomas, Utah
Black	Dill	Norbeck	Thompson
Bone	Duffy	Norris	Tydings
Borah	Erickson	Nye	Van Nuys
Brown	George	O'Mahoney	Wagner
Bulkeley	Harrison	Patterson	Walsh
Bulow	Hatch	Pittman	Wheeler
Byrd	Hayden	Pope	
Byrnes	La Follette	Reynolds	
Capper	Lewis	Robinson, Ark.	

NOT VOTING—10

Fess	King	Overtton	Robinson, Ind.
Glass	McAdoo	Reed	Trammell
Gore	Neely		

So Mr. LONG's amendment was rejected.

The VICE PRESIDENT. There is on the clerk's desk a committee amendment which was passed over at the request of some Senator, but just which Senator the Chair has forgotten. Without objection the clerk will read the amendment.

The LEGISLATIVE CLERK. On page 5, strike out lines 19 and 20, as follows:

(c) The provisions of this act shall terminate 3 years from the date of its enactment.

And insert in lieu thereof the following:

(c) The authority of the President to enter into foreign-trade agreements under section 1 of this act shall terminate on the expiration of 3 years from the date of the enactment of this act.

The VICE PRESIDENT. Without objection the amendment is agreed to.

Mr. LONG. Mr. President, I send to the desk an amendment in the nature of a substitute for the bill and ask to have it read, or, instead of having it read, I can explain it in a minute, if I may be permitted to do so.

The VICE PRESIDENT. The amendment in the nature of a substitute will be read.

The CHIEF CLERK. It is proposed to strike out all after the enacting clause and in lieu thereof to insert the following:

That section 336 of the Tariff Act of 1930 is amended to read as follows:

Sec. 336. Recommendations for adjustment of duties.—(a) Upon the request of the President of the United States, or upon its own motion, or upon application of any interested party showing good and sufficient reason therefor, the Commission shall investigate and ascertain the differences in the cost of production of any domestic article and of any like or similar foreign article. If the Commission finds it shown by the investigation that the duty imposed by law upon the foreign article does not equalize the differences in the cost of production, when efficiently and economically produced, of the domestic article and of the foreign article when produced in the principal competing country or countries, then the Commission shall report to the President and to the Congress its findings and its order with respect to such increases or decreases in the duty upon the foreign article as the Commission finds to be necessary in order to equalize such differences in the cost of production. Any such increased or decreased duty may include the transfer of the article from the dutiable list to the free list or from the free list to the dutiable list, a change in the form of duty, or a change in classification. The report shall be accompanied by a statement of the Commission setting forth the findings of the Commission with respect to the differences in cost of production, the elements of cost in-

cluded in the cost of production of the respective articles as ascertained by the Commission, and any other matter deemed pertinent by the Commission. Sixty days after the date of the report to Congress of such order by said Commission, such changes in classification shall take effect, and such increased or decreased duties shall be levied, collected, and paid on such articles when imported from any foreign country into the United States or into any of its possessions (except the Philippine Islands, the Virgin Islands, and the islands of Guam and Tutuila): *Provided*, That if before the expiration of such period of 60 days the Congress then in session shall have by joint resolution declared said order of said Commission rejected, then the changes in classification, forms of rate, or increases or decreases in rates of duty specified in such order of said Commission shall not go into effect.

"The President, upon receipt of any such report of the Commission, shall promptly transmit the report to the Congress with his recommendations, if any, with respect to the increase or decrease in duty proposed by the Commission.

"Any bill having for its object the carrying out, in whole or in part, of the recommendations made by the Commission in any such report shall not include any item not included in such report; and in the consideration of such bill, either in the House of Representatives or in the Senate, no amendment thereto shall be considered which is not germane to the items included in such report.

"(b) No report shall be made by the Commission under this section unless the determination of the Commission with respect thereto is reached after an investigation by the Commission during the course of which the Commission shall have held hearings and given reasonable public notice of such hearings, and reasonable opportunity for the parties interested to be present, produce evidence, and to be heard. The Commission is authorized to adopt such reasonable rules of procedure as may be necessary to execute its functions under this section.

"(c) In ascertaining the differences in costs of production under this section, the Commission shall take into consideration, insofar as it finds it practicable—

"(1) The differences in conditions of production, including wages, costs of materials, and other items in cost of production of like or similar articles in the United States and in competing foreign countries;

"(2) Costs of transportation;

"(3) Other costs, including the cost of containers and coverings of whatever nature and other charges and expenses incident to placing the article in condition, packed ready for delivery, storage costs in the principal market or markets of the United States and of the principal competing country or countries, and costs of reconditioning or repacking wherever incurred;

"(4) Differences between the domestic and foreign article in packing and containers, and in condition in which received in the principal markets of the United States;

"(5) Differences in wholesale selling prices of domestic and foreign articles in the principal markets of the United States insofar as such prices are indicative of costs of production, provided such costs cannot be satisfactorily obtained;

"(6) Advantages granted to a foreign producer by a foreign government or by a person, partnership, corporation, or association in a foreign country;

"(7) Any other advantages or disadvantages in competition which increase or decrease in a definitely determinable amount the total cost at which domestic or foreign articles may be delivered in the principal market or markets of the United States; and

"(8) Definition of costs of transportation: Costs of transportation for the purposes of this section shall be held to include, insofar as applicable:

"(1) Freight charges and all other charges incident to transportation, including transit insurance, costs of loading and unloading, and port charges and landing charges. These costs shall be computed to such principal market or markets of the United States as may most nearly insure equal competitive opportunity to domestic articles and like or similar foreign articles in the principal consuming region or regions of the United States. If this purpose may be best accomplished thereby, such costs on domestic articles and on like or similar foreign articles shall be computed to different principal markets of the United States.

"(2) (A) In the case of an imported article, the cost of transporting such article from the areas of substantial production in the principal competing country to the principal port of importation of such article into the United States; and (B) in the case of a domestic article, the cost of transporting such article from the areas of substantial production that can reasonably be expected to ship the article thereto, to the principal port of importation into the United States of the like or similar competitive article."

Sec. 2. All uncompleted investigations instituted prior to the approval of this act under section 336 of the Tariff Act of 1930 prior to its amendment by this act, including investigations in which the President has not proclaimed changes in classification or in basis of value or increases or decreases in rates of duty, shall be dismissed without prejudice; but the information and evidence secured by the Commission in any such investigation may be given due consideration in any investigation instituted under the provisions of section 336 of the Tariff Act of 1930 as amended by this act.

Sec. 3. Consumers' counsel: (a) There shall be an office in the legislative branch of the Government to be known as the "Office of the Consumers' Counsel of the United States Tariff Commission."

The office shall be in charge of a counsel to be appointed by the President, by and with the advice and consent of the Senate. No person shall be eligible for appointment as counsel if such person has at any time acted in tariff matters before Congress or the United States Tariff Commission, either on his own behalf or as attorney, at law or in fact, or as legislative agent. The counsel shall be appointed for a term of 4 years and shall receive a salary of \$10,000 a year. The counsel shall not actively engage in any other business, vocation, or employment than that of serving as counsel.

(b) It shall be the duty of the counsel to appear in the interest of and represent the consuming public in any proceeding before the Commission. In any proceeding before the Commission in which the counsel has entered an appearance, the counsel shall have the right to offer any relevant testimony and argument, oral or written, and to examine and cross-examine witnesses and parties to the proceeding, and shall have the right to have subpoena or other process of the Commission issue in his behalf. Whenever the counsel finds that it is in the interest of the consuming public to have the Commission furnish any information at its command or conduct any investigation as to differences in costs of production or other matters within its authority, then the counsel shall so certify to the Commission, specifying in the certificate the information or investigation desired. Thereupon the Commission shall promptly furnish to the counsel the information or promptly conduct the investigation and place the results thereof at the disposal of the counsel.

(c) Within the limitations of such appropriations as the Congress may from time to time provide, the counsel is authorized (subject to the civil-service laws and the Classification Act of 1923, as amended) to appoint and fix the salaries of assistants and clerks, and is authorized to make such expenditure as may be necessary for the performance of the duties vested in him.

SEC. 4. International Economic Conference: That the President is respectfully requested to initiate a movement for an international economic conference, with a view to (a) lowering excessive tariff duties and eliminating discriminatory and unfair trade practices, and other economic barriers affecting international trade, (b) preventing retaliatory tariff measures and economic wars, and (c) promoting fair, equal, and friendly trade and commercial relations between nations; but with the understanding that any agreement, treaty, or arrangement which changes any tariff then in existence, or in any way effects the revenue of the United States, must first be approved by the Congress of the United States.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Louisiana [Mr. LONG] in the nature of a substitute for the bill as amended.

Mr. LONG. Mr. President, I do not want to infringe the agreement—

The VICE PRESIDENT. There is no debate permissible under the unanimous-consent agreement.

Mr. LONG. Mr. President, a parliamentary inquiry. Can the Chair state that this is the old Democratic proposal?

The VICE PRESIDENT. The Chair has no statement to make because he does not know anything about it.

Mr. LONG. I call for the yeas and nays.

The yeas and nays were not ordered.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Louisiana [Mr. LONG] in the nature of a substitute for the bill as amended.

The amendment was rejected.

Mr. HASTINGS. Mr. President, I ask unanimous consent that the vote by which the Senate adopted the perfecting amendment, so called, offered by the Senator from Mississippi [Mr. HARRISON] in line 20, page 4, may be reconsidered for the purpose of having a roll call upon it.

Mr. HARRISON. I have no objection to a roll call.

The VICE PRESIDENT. The Senator from Delaware asks unanimous consent for the reconsideration of the vote by which a certain amendment was agreed to. Is there objection?

Mr. COUZENS. I object.

The VICE PRESIDENT. Objection is heard. The question is on the engrossment of the amendments and the third reading of the bill.

Mr. McNARY. Mr. President, under the unanimous consent agreement, at the hour of 5 o'clock we were to take a vote on all amendments, and later on the bill upon its final passage. I submit a parliamentary inquiry. Is there any amendment on the desk that has not been submitted to a vote?

The VICE PRESIDENT. Amendments have to be offered from the floor.

Mr. McNARY. I think the Chair should state that before placing the bill upon its final passage.

The VICE PRESIDENT. The Chair will state that the bill is still open to amendment. Does any Senator desire to offer an amendment?

Mr. METCALF. Mr. President, I have an amendment lying on the table, which I offer, and should like to have read.

The VICE PRESIDENT. The clerk will read the amendment.

The LEGISLATIVE CLERK. It is proposed to add the following new section at the end of the bill:

SEC.—. The provisions of this act shall not be used in a manner which will withdraw protection from American workers against those countries which employ cheap labor or who operate under a standard of living which is lower than that prevailing in this country. To this end the Bureau of Labor Statistics of the Department of Labor shall be required to ascertain differences in the wages of labor, and whenever the wages in the foreign country are 20 percent or more below the domestic wage no agreement may be consummated.

The VICE PRESIDENT. The question is on agreeing to the amendment.

Mr. METCALF. I demand the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. ROBINSON of Arkansas (when his name was called). I have a pair with the Senator from Pennsylvania [Mr. REED], which I transfer to the junior Senator from California [Mr. McAdoo], and will vote. I vote "nay."

Mr. STEPHENS (when his name was called). Repeating my former announcement of my pair and its transfer, I vote "nay."

The roll call was concluded.

Mr. LEWIS. I desire to announce a special pair on this question between the Senator from Utah [Mr. KING] and the Senator from Louisiana [Mr. OVERTON].

I beg also to reannounce the absence of certain Senators previously announced by me; and the reasons given I re-announce.

I also announce that the Senator from West Virginia [Mr. NEELY] authorizes it to be said that were he present he would vote "nay" on this question.

Mr. HEBERT. I am advised that the Senator from Pennsylvania [Mr. REED] would, if present, vote "yea" on this question.

The result was announced—yeas 33, nays 54, as follows:

YEAS—33

Austin	Frazier	Keyes	Stelwer
Barbour	Gibson	Lonergan	Townsend
Bone	Goldsborough	Long	Vandenberg
Borah	Hale	McNary	Walcott
Carey	Hastings	Metcalfe	Wheeler
Cutting	Hatfield	Nye	White
Davis	Hebert	Patterson	
Dickinson	Johnson	Schall	
Fess	Kean	Shipstead	

NAYS—54

Adams	Clark	Hayden	Robinson, Ark.
Ashurst	Connally	La Follette	Russell
Bachman	Coolidge	Lewis	Sheppard
Bailey	Copeland	Logan	Smith
Bankhead	Couzens	McCarran	Stephens
Barkley	Dieterich	McGill	Thomas, Okla.
Black	Dill	McKellar	Thomas, Utah
Brown	Duffy	Murphy	Thompson
Bulkley	Erickson	Norbeck	Tydings
Bulow	Fletcher	Norris	Van Nuys
Byrd	George	O'Mahoney	Wagner
Byrnes	Gore	Pittman	Walsh
Capper	Harrison	Pope	
Caraway	Hatch	Reynolds	

NOT VOTING—9

Costigan	McAdoo	Overtton	Robinson, Ind.
Glass	Neely	Reed	Trammell
King			

So Mr. METCALF's amendment was rejected.

Mr. HASTINGS. Mr. President, I ask for a reconsideration of the vote by which the bill was amended on page 4, line 20, and ask for a yea-and-nay vote.

The VICE PRESIDENT. The Senator from Delaware moves a reconsideration of the amendment indicated by him, offered by the Senator from Mississippi [Mr. HARRISON].

Mr. HARRISON. Mr. President, to save time, I shall make no objection to taking another vote on that amendment, if that is what the Senator desires.

Mr. HASTINGS. That is all I desire.

The VICE PRESIDENT. Is there objection to a reconsideration of the amendment offered by the Senator from Mississippi [Mr. HARRISON] on page 4, line 20? The Chair hears none. The question is on agreeing to the amendment.

Mr. HEBERT. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. ROBINSON of Arkansas (when his name was called). Making the same pair and transfer as on the last roll call, I vote "yea."

Mr. STEPHENS (when his name was called). Making the same announcement as before as to my pair and its transfer, I vote "yea."

The roll call was concluded.

Mr. HEBERT. I am advised that the Senator from Pennsylvania [Mr. REED], if present, would vote "nay." He is paired as heretofore announced.

The result was announced—yeas 59, nays 29, as follows:

YEAS—59

Adams	Connally	La Follette	Robinson, Ark.
Ashurst	Coolidge	Lewis	Russell
Bachman	Copeland	Logan	Sheppard
Bankhead	Costigan	Loneragan	Shipstead
Barkley	Couzens	McCarran	Smith
Black	Dieterich	McGill	Stephens
Bone	Dill	McKellar	Thomas, Okla.
Brown	Duffy	Murphy	Thomas, Utah
Bulkley	Erickson	Norbeck	Thompson
Bulow	Fletcher	Norris	Tydings
Byrd	George	O'Mahoney	Van Nuys
Byrnes	Harrison	Overton	Wagner
Capper	Hatch	Pittman	Walsh
Caraway	Hayden	Pope	Wheeler
Clark	King	Reynolds	

NAYS—29

Austin	Frazier	Kean	Steinwer
Barbour	Gibson	Keyes	Townsend
Borah	Goldsborough	Long	Vandenberg
Carey	Hale	McNary	Walcott
Cutting	Hastings	Metcalf	White
Davis	Hatfield	Nye	
Dickinson	Hebert	Patterson	
Fess	Johnson	Schall	

NOT VOTING—8

Bailey	Gore	Neely	Robinson, Ind.
Glass	McAdoo	Reed	Trammell

So Mr. HARRISON's amendment was agreed to.

Mr. WALSH. Mr. President, I have an amendment on the table providing that the President shall give at least 10 days' public notice of his intention to negotiate a treaty. I understand that an amendment has been agreed to providing for reasonable public notice; and, that being broader than my amendment, I withdraw the amendment.

The VICE PRESIDENT. The amendment is withdrawn.

Mr. FLETCHER. Mr. President, I submitted an amendment proposing to give the President authority over the free list under the treaty with Cuba. I understand negotiations are now in progress looking to a new treaty, and I do not wish to complicate matters; so I withdraw the amendment I have offered.

The VICE PRESIDENT. The Senator from Florida withdraws his amendment. The question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The VICE PRESIDENT. The question now is, Shall the bill pass?

Mr. McNARY. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. LEWIS (when Mr. NEELY's name was called). I am authorized to state that were the Senator from West Virginia [Mr. NEELY] present and voting he would vote "yea" on the passage of the bill.

Mr. ROBINSON of Arkansas (when his name was called). I have a general pair with the senior Senator from Penn-

sylvania [Mr. REED], which I transfer to the junior Senator from California [Mr. McAdoo], and vote "yea".

Mr. STEPHENS (when his name was called). I have a pair with the Senator from Indiana [Mr. ROBINSON], which I transfer to the Senator from West Virginia [Mr. NEELY], and vote "yea".

The roll call was concluded.

Mr. HEBERT. The Senator from Pennsylvania [Mr. REED] and the Senator from Indiana [Mr. ROBINSON] are necessarily absent from the Senate. If present, both the Senators named would vote "nay" on the passage of the bill. The pairs of these Senators have been stated.

Mr. WALCOTT. Mr. President, in view of the transfer made by the Senator from Arkansas [Mr. ROBINSON] of his general pair with the Senator from Pennsylvania [Mr. REED] to the Senator with whom I have a general pair, the Senator from California [Mr. McAdoo], I am permitted to vote, and I vote "nay."

Mr. LEWIS. I desire to announce that the Senator from Oklahoma [Mr. GORE] is detained in an important conference. I am not advised as to how he would vote if present.

I regret to announce the continued illness of the Senator from California [Mr. McAdoo].

The Senator from Florida [Mr. TRAMMELL] is necessarily detained from the Senate. I am authorized to announce that if present he would vote "yea."

The result was announced—yeas 57, nays 33, as follows:

YEAS—57

Ashurst	Connally	Lewis	Sheppard
Bachman	Coolidge	Logan	Shipstead
Bailey	Copeland	Loneragan	Smith
Bankhead	Costigan	McCarran	Stephens
Barkley	Couzens	McGill	Thomas, Okla.
Black	Dieterich	McKellar	Thomas, Utah
Bone	Duffy	Murphy	Thompson
Brown	Erickson	Norbeck	Tydings
Bulkley	Fletcher	Norris	Van Nuys
Bulow	George	O'Mahoney	Wagner
Byrd	Harrison	Pittman	Walsh
Byrnes	Hatch	Pope	Wheeler
Capper	Hayden	Reynolds	
Caraway	King	Robinson, Ark.	
Clark	La Follette	Russell	

NAYS—33

Adams	Fess	Johnson	Schall
Austin	Frazier	Kean	Steinwer
Barbour	Gibson	Keyes	Townsend
Borah	Glass	Long	Vandenberg
Carey	Goldsborough	McNary	Walcott
Cutting	Hale	Metcalf	White
Davis	Hastings	Nye	
Dickinson	Hatfield	Overton	
Dill	Hebert	Patterson	

NOT VOTING—6

Gore	Neely	Robinson, Ind.	Trammell
McAdoo	Reed		

So the bill was passed.

MONETARY USE AND PURCHASE OF SILVER

Mr. ROBINSON of Arkansas. Mr. President, I move that the Senate proceed to the consideration of the bill (H.R. 9745) to authorize the Secretary of the Treasury to purchase silver, issue silver certificates, and for other purposes.

The motion was agreed to; and the Senate proceeded to consider the bill (H.R. 9745) to authorize the Secretary of the Treasury to purchase silver, issue silver certificates, and for other purposes.

ORDER OF BUSINESS

Mr. McKELLAR. Mr. President, I ask the Senator from Nevada [Mr. PITTMAN] if he will permit the Senate to lay aside the unfinished business temporarily, so that we may take up the conference report on the air mail bill.

Mr. PITTMAN. I ask unanimous consent that that be done.

Mr. SHIPSTEAD. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. SHIPSTEAD. Last week I served notice that when the unfinished business should have been disposed of I should enter a motion to discharge the Committee on Finance from the further consideration of House bill No. 1.

The VICE PRESIDENT. That matter is not before the Senate at the present time. The unfinished business is what is known as the "silver bill." The Chair understands

that the Senator from Nevada is now asking unanimous consent to lay that bill aside temporarily for the purpose of considering the conference report which the Senator from Tennessee has in charge.

Mr. McNARY. Mr. President, I feel somewhat disinclined to accede to that request. It is half past 5. We have had a very tiresome and trying day. I should have no objection to the request of the Senator from Nevada if it were that that should be done tomorrow upon the assembling of the Senate at 12 o'clock; but there will be some debate on the subject. As I said, we have had a very tiresome and trying day.

Mr. McKELLAR. Mr. President, the Senator from Vermont [Mr. AUSTIN] informs me that he will have to be absent from the city tomorrow, and that he desires to speak at least 10 minutes on the bill this afternoon. I asked the Senator from Nevada if he would agree to my request for no other reason than to let the Senator from Vermont finish his speech tonight.

Mr. McNARY. The Senator from Vermont, I am advised, is prepared to proceed but would rather do so tomorrow at 12 o'clock.

Mr. McKELLAR. Would the Senator be willing to recess until 11 o'clock in the morning?

Mr. McNARY. I see no need for that.

Mr. McKELLAR. Of course, the Senator understands that I have a right to submit the conference report.

Mr. McNARY. I appreciate that.

Mr. McKELLAR. It has been delayed time and time and time again, and I hope that the Senate may dispose of it this afternoon.

Mr. McNARY. I am fully advised as to the right of the Senator. On account of the feeling that I have and that many of us have, who are tired, I am expressing the hope that we may recess until 12 o'clock tomorrow, at which time I shall not object to the request of the Senator from Nevada.

The VICE PRESIDENT. Objection is heard.

Mr. McKELLAR. Would the Senator from Oregon object, then, to a unanimous-consent agreement that tomorrow at 12 o'clock the Senate shall take up the conference report on the air mail bill?

Mr. McNARY. I twice stated specifically that I should not object.

Mr. McKELLAR. Then, I will amend my request.

Mr. PITTMAN. Mr. President, one moment. The unfinished business before the Senate is the silver bill.

The VICE PRESIDENT. The unfinished business will be before the Senate tomorrow at 12 o'clock noon, if a recess be taken until that time; but the Senator from Tennessee [Mr. McKELLAR] has a right to call up his report at any time he desires.

Mr. McNARY. Mr. President, I have on two occasions expressed the same view.

The VICE PRESIDENT. It is not necessary to ask unanimous consent unless the Senator desires to do so.

Mr. McKELLAR. Mr. President, I ask unanimous consent that we may proceed with the consideration of the conference report on the air mail bill tomorrow at 12 o'clock noon, and that at that time the unfinished business may be temporarily laid aside.

Mr. PITTMAN. Mr. President, may I amend that request? I ask unanimous consent that when we recess tonight the pending bill shall be the unfinished business; that we shall take it up at 12 o'clock tomorrow on reconvening, and that then it shall be temporarily laid aside for the purpose of taking up the conference report on the air mail bill.

The VICE PRESIDENT. That means the same thing. Is there objection to the request for unanimous consent? The Chair hears none.

SULTZBACH CLOTHING CO.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 1191) for the relief of the Sultzbach Clothing Co., which were on page 1, line 6, after "\$6,000", to insert in full settlement of all claims against the Government of the United

States", and on page 1, line 11, after "provisions", to insert:

Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. WAGNER. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

JAMES SLEVIN

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 2636) for the relief of James Slevin, which were, on page 1, line 6, after "\$1,425", to insert "in full settlement of all claims against the Government of the United States", and on page 1, line 9, after "1933", to insert:

Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. SHEPPARD. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

M. M. TWICHEL

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1126) for relief of M. M. Twichel, which was, on page 1, line 10, after "1933", to insert:

Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. WHEELER. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

LUECO R. GOOCH

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1077) for the relief of Lueco R. Gooch, which was, on page 1, line 13, after "1929", to insert—

Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. BAILEY. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

EMMA FERGUSON STARRETT

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1401) to

pay a gratuity to Emma Ferguson Starrett, which was, on page 1, line 8, after "husband", to insert:

Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. FLETCHER. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

MICHAEL BELLO

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1516) for the relief of Michael Bello, which was, on page 2, line 6, after "City", to insert:

Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. COPELAND. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

CLAUDIA L. POLSKI

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 2023) for the relief of Claudia L. Polski, which were, on page 1, line 11, after "injury", to insert "alleged to have been", and on page 1, line 13, after "amended", to insert:

Provided, That no benefits shall accrue prior to the enactment of this act.

Mr. SHIPSTEAD. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

ORDER OF BUSINESS

The VICE PRESIDENT. The Chair desires to recognize the Senator from Pennsylvania [Mr. DAVIS], who has given notice that he desires to speak for about 3 minutes.

Mr. SHIPSTEAD. Mr. President—

The VICE PRESIDENT. Does the Senator from Pennsylvania yield to the Senator from Minnesota?

Mr. DAVIS. I yield.

Mr. SHIPSTEAD. I should like to propound a question to the Senator from Mississippi. Will the Senator give us information as to when he proposed action on House bill 1? Is there a possibility of a report from the committee?

Mr. HARRISON. The Senator from Minnesota appreciates the fact that the Senate has been engaged in debate and action on the tariff bill for a considerable period of time. The Finance Committee tried to have a meeting on Friday morning to transact business, and we hope to have a meeting tomorrow morning. The committee at its last meeting took a recess until tomorrow morning. I have just been advised that there is to be a conference at the White House on the part of the Senators from the drought-stricken section of the country, and I have asked that the committee meeting not be held until tomorrow afternoon at 2:30. I think at that time the committee ought to give some consideration to the bill referred to. I do not know what action the committee will take.

That is the situation at the present time.

RETIREMENT SYSTEM FOR RAILWAY EMPLOYEES

Mr. DAVIS. Mr. President, Senate bill 3231, now on the calendar, provides a retirement plan for the aged employees

of the railroads. This plan has been approved by the outstanding representatives of the railway brotherhoods and some of the leading carriers. Under this bill all carriers coming within the scope of the Railway Labor Act are to be treated as one employer for the purposes of the act. The old-age pension or annuity is to be based upon the wages and the length of service of employees upon all railroads, with specified maximum limits.

The payments are to be provided through funds created by joint contributions from the railroad and the employees. The Treasury of the United States is made the depository for these funds. The payments to be made from such funds are limited to the amounts provided by the railroads and the employees, and no burden is placed on the Public Treasury.

Under the terms of the bill the employees shall contribute 2 percent of the compensation paid to them by the carrier and the carrier shall contribute an amount equal to twice the amount contributed by its employees. The administration of the system is to be under the direction and supervision of a board composed of three members, to be appointed by the President of the United States, with the advice and consent of the Senate. The bill carries definite provisions concerning rates of payment and age of retirement. It is estimated that the average wage of \$1,667 per year will produce an average monthly annuity of \$83.33.

There is considerable evidence to show that the payment of pensions to aged employees reduces the operating costs of the carriers. Without a satisfactory retirement system these aged employees are often continued in the service when it would be in the interest of economical operation to retire and pay them pensions.

Good business judgment dictates the policy of replacing worn-out and depreciated equipment with that which is new and efficient. It is equally good business to retire those employees who have worn themselves out through long years of arduous toil in the performance of faithful service to industry. A reasonable old-age-retirement plan is as helpful to industry as it is beneficent to labor.

I believe this is a step in the right direction because it aims to make a humane settlement of a very important human problem. I favor this measure not alone for what it will mean ultimately to railway employees, but also for what it foretells of an adequate industrial plan for aged workmen in every line of employment. One of the chief social problems which confronts the American people today is to provide a system of employment which will enable the workman to take care of himself from youth to the end of his days. The pending legislation does not provide for all of these needs; it does not provide unemployment insurance; but it is a step in the right direction. If this plan is put into successful operation after the 4-year experience period provided in the bill, it will furnish incentive for other legislation of a kindred nature.

As a matter of principle I think that it is fair that industrial management and workers should combine to provide retirement funds for the aged. The amounts and percentages provided in the bill are none too large to meet the practical needs of the American workman who has reached the age of 65 years and is ready for retirement. If we do not supply a pension system to our workers, we must continue to struggle on with the heavy burdens of taxation imposed on us for the support of poorhouses which are a blight upon our civilization, and for homes for the aged which ordinarily do not satisfy the needs of the individual as well as the modest home which the workman may claim for himself.

Whether the needs of the aged are met through a pension system or through the stigma of the poorhouse, they must be met. Common sense and decency suggest old-age-pension plans. In view of the approval which has been placed on Senate bill 3231 by prominent railway labor groups and railway executives and in view of the reasonable nature of the plans outlined in the bill which accords with the trends of the time and looks to the needs of the future, I favor its passage.

Mr. HATFIELD. Mr. President—

The PRESIDING OFFICER (Mr. COPELAND in the chair.) Does the Senator from Pennsylvania yield to the Senator from West Virginia?

Mr. DAVIS. Certainly.

Mr. HATFIELD. The Senator has been discussing the Hatfield-Wagner railroad retirement bill?

Mr. DAVIS. That is correct.

Mr. HATFIELD. I should like to have the attention of the Senator from Arkansas [Mr. ROBINSON] respecting the Hatfield-Wagner railroad retirement bill which the Senator from Pennsylvania is discussing, and, to inquire whether we may not at some time in the immediate future take up the bill and dispose of it? In my judgment it will not take long to act favorably on it.

Mr. ROBINSON of Arkansas. Mr. President, I am unable to give the Senator from West Virginia assurance regarding the matter, but I am hopeful that the bill may be taken up before the end of the session.

Mr. HATFIELD. I understand there is a very favorable attitude toward the bill in the House and that if we can secure prompt and favorable consideration of this measure in the Senate, the House will also act favorably on it, thus giving every assurance that the measure will become a law at this session.

MONETARY USE AND PURCHASE OF SILVER

Mr. THOMAS of Oklahoma. Mr. President, today's Washington Post carries an interview with the distinguished senior Senator from Idaho [Mr. BORAH] under the title "Monetary Reform Held World's Need by Borah."

The interview covers such subjects as unemployment, world trade, disarmament, international discords, and in the interview the distinguished Senator holds that all other questions, domestic, national, and international, are secondary to a revision, adjustment, and standardization of monetary systems.

In the interview it is suggested that world monetary systems have been wrecked; that the world supply of gold is too limited to serve as either money or the base for sufficient money to serve the world demand for money. If it is true that we must have a metallic base to support our paper and deposit money, and if it be true that gold is too limited to form such base, then the only other satisfactory metal with which gold may be reinforced is silver. Silver has served the masses of the peoples of the world as money since the dawn of history. Silver was the money of the American colonists. The Continental Congress, by resolution, adopted the silver dollar as the unit of value.

Alexander Hamilton, the first Secretary of the Treasury, in his report on the establishment of a mint, recommended that the silver dollar be continued as the standard unit of value. The American Congress accepted the recommendations of Secretary Hamilton and made by law the silver dollar of 371¼ grains of pure silver the American standard unit of value.

The record shows that since the discovery of America silver has been recognized as the money of the masses. Today silver is the money of the masses of three-fourths of the peoples of the world.

If the 125 millions of the people of the States are to enjoy benefits and profits from trade with over one billion of the people of other nations, then it is obvious that we should so adjust our monetary system as to permit of the freest trade with such silver-using nations and peoples.

Mr. President, because of the importance of the subject discussed and because I endorse the suggestions made and the opinions expressed in the interview, I ask that it be printed as a part of my remarks.

There being no objection, the interview was ordered to lie on the table and to be printed in the RECORD, as follows:

[From the Washington Post, Monday, June 4, 1934]

MONETARY REFORM HELD WORLD'S NEED BY BORAH—SENATOR SEES NO HOPE OF CURING ILLS UNTIL REVISION

By Franklyn Waltman, Jr.

International action to readjust the monetary systems of the world, in order to give people a greater purchasing power, is the

basic solution underlying the major problems harassing all nations, Senator WILLIAM E. BORAH, Republican, of Idaho, yesterday told the Post.

In Senator BORAH's opinion the world's statesmen may grapple at home with the problem of giving employment to tens of millions of idle workers; they may devise schemes to revive foreign trade, and they may meet in solemn conclaves in efforts to bring about disarmament and solve the Japanese question, but all their efforts will come to naught, or at best have only a temporary effect, until they revise the world's monetary systems.

The leonine-headed Idahoan, who has been in the Senate 27 years—longer than any other member of that body—in pointing his finger to defective monetary systems as the root of present world troubles, did not undertake to prescribe a remedy. But he made clear his skepticism of the efficacy of the gold standard and threw out the suggestion that silver might be given a more important part to play as money and medium of exchange.

BORAH is an ardent member of the Senate's silver bloc and recently has urged that this country give to the white metal a more important place in its monetary system. He long has believed that international action in regard to silver is preferable to going it alone. But since the break-down of the London Economic and Monetary Conference, BORAH has despaired that other governments will cooperate with the United States.

A year ago BORAH bolted the silver bloc and voted against a silver-purchase measure because he thought President Roosevelt should be left with a free hand to deal with the silver problem at the London conference. The pending silver bill leaves the President a free hand to act as he deems wise and it is not beyond the bounds of possibility that Mr. Roosevelt may make overtures to the major world powers to cooperate with him, in laying the foundation for the establishment of a bimetallic monetary system as soon as this legislation is approved.

ASKED ABOUT WORLD DRIFT

Senator BORAH made his observations in response to a question from the Post as to "where is the world drifting?" This question was propounded to the Idaho Senator because for years he has been a close student and observer of international and world-wide affairs, because he is a former chairman of the Senate's Foreign Relations Committee, and because BORAH, sometimes called the Senate's "lone wolf", is an independent and courageous critic of current trends.

Responding to the question, BORAH asserted that "it has a tinge of despair in it", adding that "whatever else we may lose, we must not lose our courage, our faith in the people, and in our institutions—if we do, our troubles have been as nothing compared to what they will be."

"At the base of all our troubles is the poverty and misery of the masses", BORAH continued. "Eighty percent of the world's population is said to be living below the poverty line. There is no remedy for all our ills and there is no single panacea. But one thing constantly haunts one when you think of the world's present conditions, and that is that we have an abundance of everything necessary to clothe and feed and make happy the human family, and yet 80 percent of it is in misery."

GOLD STANDARD DISCUSSED

"It will be recalled a message of congratulation and assurance went out to all the world early in 1929. It was a message from the great in finance and business. What was the cause of the glad tidings? The gold standard had been adopted by every leading nation on the globe except China, and China was being labored with to come within the golden circle."

"The gold standard was all but universal; therefore, confidence was to prevail, business to go forward, employment to be universal. It had been a hard struggle after the war to get back into gold. But the struggle had to be made if the world was to recover. What we wanted was the gold standard. We had it. Now, let's go!"

"But something went wrong. Business began to get uneasy. A tremor, like that in a building when the foundation is giving away, was felt in the business world. Prices of farm products, which had been falling for some time, continued to fall. Other prices soon followed. Many nations on the gold standard looked about for their gold and they did not have any. It had all gone to England and France and the United States. Liquidation set in. Unemployment increased with startling rapidity. Confidence disappeared, and gold went into hiding. According to all theories, all professors, and all economists, this ought not to have happened; indeed, it could not happen, but it did."

MORE INCOME NEEDED

"There are some who believe that the monetary systems of the world, which have been built up since about 1816, have been wrecked. That they are no longer sufficient and efficient with which to do the business of the world; that the reason why 80 percent of the world is below the poverty line while the whole world is rich in the things which they need, is because there is something wrong with our monetary system."

"We have the disarmament problem, the Japanese problem, so it is said, the unemployment problem, the nondistribution problem, and a multitude of problems, all of which centers in the one problem of how to distribute among the people of the world that which the world so abundantly possesses, and how can you do that under our monetary system? Some are disturbed about a flood of silver. It will take a flood of the precious metals to furnish an adequate volume of sound money with which to do the business of the world."

THREE NATIONS CORNER GOLD

"We are interested in and are discussing the question of building up foreign trade. Our attention is called to the fact that foreign trade has reached the vanishing point. But the decrease of domestic trade is almost as startling as that of foreign trade."

"Now, we are not going to rebuild foreign trade or domestic trade to any extent until the people are able to buy; until they have something with which to buy. Trade diminishes as hunger spreads and increases. The rebuilding of trade, domestic and foreign, depends upon rebuilding purchasing power. We loaned vast sums of money to Europe and for a time foreign trade got the benefit of it. So, now, if some providential hand should scatter millions among the Europeans our foreign trade would respond. "But under the world's present monetary system we need not expect the rebuilding of foreign trade to any marked extent. Three nations hold practically all the gold of the world, and those three nations are facing bankruptcy because they have the gold and have the goods. They will not let loose of the former and they cannot get rid of the latter. And these three nations stand at the head of the list of those nations which have undertaken to destroy the money of the balance of the world and stand at the head of the list in the endeavor to prevent its restoration."

IMPROVEMENT AND DEVELOPMENT OF WATER RESOURCES

The PRESIDING OFFICER laid before the Senate a message from the President of the United States, which was read, and, with the accompanying documents, referred to the Committee on Commerce:

To the Congress of the United States:

On February 2, 1934, by resolution, the Congress requested me to report on "a comprehensive plan for the improvement and development of the Rivers of the United States, with a view of giving the Congress information for the guidance of legislation which will provide for the maximum amount of flood control, navigation, irrigation, and development of hydroelectric power."

Pursuant thereto I requested the Secretaries of the Departments of the Interior, War, Agriculture, and Labor to advise on the development of a water policy and on the choice of projects. I am sending herewith copies of their report, together with separate letters from the Secretary of War and the Secretary of Labor, and also:

- (1) List of technical advisory committees of the President's committee.
- (2) Review of reports of technical subcommittees on water flow.
- (3) Review of report of technical subcommittees covering additions in the arid section, prepared by the Bureau of Reclamation.
- (4) Seven reports of technical subcommittees covering various regions.

I ask that the Congress bear in mind certain obvious facts relating to these reports:

- (1) That the time for the preparation of these reports was extremely limited.
- (2) That the subject is one of enormous magnitude, covering the whole of the United States.
- (3) That the resolution of the Congress covering the subjects of flood control, navigation, irrigation, and development of hydroelectric power automatically opened the door to all interrelated subjects which come under the general head of land and water use. This broader definition brings to our attention very clearly such kindred problems as soil erosion, stream pollution, fire prevention, reforestation, afforestation, marginal lands, stranded communities, distribution of industries, education, highway building, home building, and a dozen others.
- (4) All of the reports were based primarily on information already at hand and further study is strongly recommended.

(5) For the purpose of making a preliminary test, I requested a wholly tentative trial selection of 10 specific projects. As I had expected, the report strongly doubts the advisability of recommending these projects, on the ground that any selection at this point must necessarily omit many meritorious projects which further analysis may show to be preferable.

(6) The reports of the technical subcommittees, covering various areas, are of definite value. But before any work is done, it is obvious that a competent coordinating body must

go over all of these reports, as well as reports on other projects and produce a comprehensive plan.

In view of the above, I therefore suggest that the Congress regard this message and the accompanying documents as merely a preliminary study and allow me, between now and the assembling of the next Congress, to complete these studies and to outline to the next Congress a comprehensive plan to be pursued over a long period of years. Further legislative action on this subject at this session of the Congress seems to me, therefore, unnecessary.

I expect before the final adjournment of this Congress to forward to it a broader outline of national policy in which the subject matter of this message will be presented in conjunction with two other subjects also relating to human welfare and security.

We should proceed toward a rounded policy of national scope.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 4, 1934.

SOVIET RUSSIA

Mr. WHEELER. Mr. President, I ask leave to have printed in the RECORD an interesting and instructive article headed "On Understanding Soviet Russia", by Corliss Lamont.

There being no objection, the article was ordered to be printed in the Record, as follows:

ON UNDERSTANDING SOVIET RUSSIA

By Corliss Lamont

Since returning from a 2 months' trip to Soviet Russia I have had occasion to discuss with many different types of Americans the situation in that country. Accordingly I have had the opportunity to discover what seem to be the most common misunderstandings concerning the Soviet Union in the American mind. These misunderstandings I have tried to clear up in a positive manner by formulating five bases or standards of judgment which seem necessary to me for anyone who wishes adequately to comprehend what is going on in Russia today. In view of America's recent recognition of the Soviet Union and the increasingly close relations between the two nations, more and more Americans are feeling the need for some such intellectual measuring rod as I have in mind. The five standards of judgment, then, which I would suggest can be summarized as follows:

I
First of all, we should take into constant consideration Russia's geography, cultural background, and history.

The Soviet Union covers a vast and sprawling territory, representing between a sixth and a seventh of the entire world's surface. It is about the size of all of North America and three times as big as the United States. From the Arctic Ocean in the north to the Black Sea in the south, from the Baltic in the west to the Pacific in the east, the Red flag flies; and over a total population of almost 170,000,000. While these continental proportions entail certain advantages in the scope and variety of natural resources, they create a sheer problem of administration which is breathtaking and which in itself explains many of the troubles that the Soviet Government has encountered.

This problem of administration is made much more difficult by the fact that in this huge domain live about 150 different races, each with its own language, its own customs, and its own culture. The Czars oppressed the national minorities to an extreme degree, forcing upon them a policy of strict Russification and attempting to stamp out their native cultures. When the Bolsheviks came into power in the fall of 1917 about 80 percent of the population were peasants engaged in agricultural pursuits and using, for the most part, decidedly primitive methods. * * *

There can be little doubt that had it not been for the aid in men, munitions, and money which the Allies gave to the White counterrevolutionaries, the civil war in Russia would have come to an end in rather short order. As it was, it lasted in extreme form 3 terrible years, during which 2,000,000 people were killed, approximately \$6,000,000,000 worth of property destroyed, and indirect losses suffered amounting to some \$20,000,000,000 more. * * *

When one reflects upon this 5-year period of civil conflict, foreign invasion, and famine following hard upon three calamitous years of the Great War and two far-reaching revolutions, it seems something like a miracle that the Communists came through with their heads up and their colors flying. It was an epic triumph of sheer will power and intellect. And when on this background I paint the picture of the Soviets' progress during the last decade, I cannot help concluding that their achievement has been perhaps the greatest and most heroic in human history.

II
In the second place, in making comparisons between the Soviet Union and other countries, we must do so on a relative and not on an absolute basis.

It is common knowledge that in 1917 Russia was primarily an agricultural country with, generally speaking, one of the lowest

standards of living in the world. In regard to industrial and technical development it was a century or so behind the more advanced nations of the west. It had hardly reached the point that England had attained in 1800. And, as we indicated in the first section, cultural backwardness was one of the chief characteristics of its predominantly peasant population. It is obviously absurd to expect that Russia could completely catch up in a short 15 years with countries like England, Germany, and the United States. It is unfair, then, to talk of the Soviet Union as if that expectation were a rational one and to condemn it because, in absolute terms, it does not yet measure up in certain fundamental ways to the most highly evolved industrial nations. The real question is, How much have conditions in Russia improved since the time of the czars?

Yet even this question cannot be asked without one important qualification; the new Russia is a good deal smaller in territory and population than the old Russia. It lost all of the western provinces at the end of the war: Finland, Estonia, Latvia, Lithuania, Poland, and Bessarabia, this last rich region being seized by force of arms by Rumania. The total extent of these lands amounts to considerably more than the combined area of France and Germany; their total population today is about 44,000,000. In these regions, especially in the Polish coal and textile centers and in the Finnish pulp and paper centers, were many of the most highly developed industries of the Czar's empire. Their loss entailed a far-reaching reorientation of Russian economy. These districts were, on the whole, considerably more advanced in a western European sense than the rest of prerevolutionary Russia. Hence it will not do, without keeping this point continually in mind, to draw comparisons between these former parts of the Russian Empire and the present-day Soviet Union.

To give an example of what we mean by a relative comparison let us take the matter of shoes. In 1913 there were 20,000,000 pairs of shoes produced in Russia, which were distributed mainly in the cities and among the upper classes. The great majority of the peasants went barefoot in the summer and in the winter fashioned themselves straw footwear. Today, though more than 80,000,000 pairs of shoes are being manufactured annually, it is evident that the soviet masses are still in need of more and better footwear and that it will be some time before they overtake the people of the U.S.A. in this respect. But the important point to remember is that the Soviet Union is producing four times as many shoes as in pre-war days and is distributing them, moreover, to all sections of the population and not just to a privileged group of urban dwellers. Or take the matter of beggars. In the old Russia begging was one of the great professions, with a million persons devoted to its devious means and ends. In 1924 this startling number had been reduced to 140,000 and in 1933 to 50,000. This constitutes a really considerable achievement, despite the fact that tourists are still shocked by meeting beggars in all the cities of the Soviet Union.

If only relative comparisons are fair, then it is plainly irrelevant to judge the Soviet Union in terms of American cleanliness, conveniences, and mechanical gadgets. * * *

Yet it is remarkable to note that already, even on an absolute scale, the Soviet Union is superior to the United States (not to mention other capitalist lands) in a number of ways. For instance, there is no unemployment there; the theory and practice of central economic planning has made notable headway; legislation on behalf of women and children and workers has attained new and very high levels; the excellent system of public-health services constitutes a challenge to medical authorities everywhere else; prostitution has been practically eliminated; science is in the saddle in place of superstition throughout the land; an enthusiasm exists for education and the things of culture unknown elsewhere in the world; the attitude toward sex and marriage is frank and healthy; race prejudice has all but disappeared; the art and culture of national minorities is manifesting a veritable renaissance; and a true international spirit holds sway. * * *

III

In the third place, we ought to bear carefully in mind the extra-economic and cultural achievements of the Soviet Union.

Publicity abroad about the Soviet Union has stressed the herculean economic accomplishments of the new regime. Yet there was a 5-year plan in art as well as in industry. And there is a tendency to forget that cultural progress has paralleled the material gains, and has been just as great. We have given passing mention above to some of the cultural gains. Without in any sense trying to cover the entire cultural enterprise, we shall take up a few outstanding examples of the forward march on this broad sector of Soviet activity.

Perhaps the most striking advance of all has taken place in educational affairs. Some of the statistics here are enlightening. Illiteracy is close to complete liquidation with the pre-war figure of more than 70 percent now reduced to less than 10 percent; the number of children in primary and secondary schools has increased from eight to twenty-six million; and the number of students in higher educational institutions has grown four times over. At the same time the masses of the people have become voracious readers. There are 2,000 magazines in the U.S.S.R., with an annual circulation of 391,000,000 copies; there are 1,600 newspapers in 83 different languages, 9 times the pre-war number, with a circulation 14 times as great. As to books and pamphlets, during 1932 more than 53,000 titles were published totaling 800,000,000 copies, four times the 1913 level in both regards. No wonder there is a constant paper shortage in the Soviet Union.

The spread of education has gone on, not just in the cities but throughout the agricultural regions as well. In fact, the awaken-

ing of millions and millions of formerly ignorant and illiterate peasants to the new cultural life is probably the most remarkable thing of all. * * *

IV

In the fourth place, it is necessary to grasp the significance of the various compromises and shifts in policy that occur in the Soviet Union from time to time.

The basic principle to keep in mind here is that no competent Marxist ever dreamed that it would be possible for socialism in any country to leap up full-fledged all at once from the chaos of the old order. Especially does this principle apply to a nation which was as far behind as Russia. There the building of socialism obviously entails a long, hard struggle both in setting up the necessary industro-mechanical foundations of the new society and in eradicating the habits and psychology of the former feudal-capitalist state. In this struggle there are bound to be bad years as well as good, failures as well as triumphs, detours as well as marches straight ahead. And it is essential to distinguish temporary setbacks from permanent defeats.

Since the Soviet Union is the first nation in the history of the world to attempt the construction of a socialist order, it is inevitable that serious and unforeseen problems should arise. The Communist leaders have had practically no precedents on which to draw. They have made, on occasion, serious mistakes; but when they themselves have been at fault they have recognized the fact and have not resorted to the easy (though often just) excuse that the Czarist inheritance is to blame. Far from attempting to cover up their blunders, the Soviet officials and workers have set them forth in detail in the press throughout the land. Their frank self-criticism has become a veritable institution, and has been exceedingly effective in combating bureaucracy and inefficiency. At the same time, thanks to it, foreign detractors have obtained some of their most potent ammunition.

External as well as internal difficulties suddenly arise to confront the U.S.S.R. For instance, who could have predicted the eruption of the Japanese volcano in Manchuria 2 years ago? Yet nothing has done more to disrupt the carefully laid plans of the Soviet Union than the war-breeding Japanese adventure upon the mainland of Asia. In order to defend themselves from possible aggression in the Far East the Russians have had to strengthen the defensive forces in Siberia, to back these forces up with a big food reserve drawn from other and needy sections of the country, and to allocate to the manufacture of munitions and other army supplies materials that could be ill spared from normal productive operations. All of this happened during the last year of the first 5-year plan and did much to handicap its fulfillment.

Japan, however, is not the only enemy of the Soviet Union, and the Soviet Government has had to maintain a vigilant watch on the western as well as the eastern border. Indeed, the existence of the Soviet Union in a generally hostile world with even diplomatic recognition denied for 16 years by America, the strongest capitalist power, has constituted a problem which presumably the next socialist commonwealth will not have to face. Forced to import a large proportion of its machinery and industrial equipment from the outside world, Russia has suffered heavily from the hard credit terms and, in some cases, financial boycott imposed by foreign capitalists. * * *

Then other critics complain because the Soviet Government has not yet nationalized clothes and bicycles. They have the curious idea that true socialism precludes the owning of personal property. But in a socialist society, be it in the Soviet Union or anywhere else, there is no reason why an individual should not own a bicycle, an automobile, a clock, a library, a suit of clothes, or, indeed, six suits of clothes. One of the chief aims of socialism is that every citizen should have an abundance of personal possessions, including so-called "luxuries." The point is that personal wealth must be for consumption, for use, for enjoyment. It must not become capital. All property entailing production or distribution or the possible exploitation of workers is, under socialism, collectively owned; intimate personal property is not and never will be. * * *

V

In the fifth place, any proper evaluation of the Soviet Union must take the future into account.

The Soviet Union is certainly no utopia as yet; the point is that no sensible person could have expected it to be. Full socialism has not been attained in Russia and will not be attained for some while. The very good reasons for this we have already pointed out. At the same time, it can hardly be doubted that the direction of the Soviet Union from both the material and cultural standpoint is steadily and on the whole upward. The problems are those of growth, not decay. And the serious stresses and strains that still exist seem justified in the light of the great goal ahead. The soviet masses have been making what may be called "constructive" sacrifices, with a splendid purpose held consciously and continually in mind. In the rest of the world, too, millions and millions of people have been making sacrifices; but these sacrifices are chaotic, purposeless, and to a large extent useless. There is no plan behind them. They are not leading anywhere. What gains, for example, have resulted from the sufferings of the 40,000,000 unemployed in the capitalist world during 4 years of depression? And does it not seem probable that the sacrifices of these millions and their families—and of other millions and their families—will continue indefinitely under the present system?

The fundamental aim of the first 5-year plan was to lay a basis of heavy industry and collectivized, mechanized agriculture which would both provide the groundwork of socialism and make the U.S.S.R., in case of need, independent of the capitalist world. Ac-

cordingly, producers' goods were given the right-of-way over consumers' goods; and huge quantities of foodstuffs, which could easily have been used at home, were exported in face of declining depression prices to pay for the import of machinery and technicians. The fast pace of the 5-year plan was set in the first instance through fear of foreign aggression. The Soviet Union has not forgotten the capitalist intervention of the early twenties and proceeds on the theory that what has happened once may happen again.

While the revised and final schedules of the first 5-year plan were not 100 percent fulfilled in the 4¼ years allotted, the main objectives were achieved. And of course the original 1928 estimates, allowing for 5 full years, were greatly surpassed. Already, with the second 5-year plan well under way, there is a much greater emphasis on the output of consumers' goods. And the tempo of things has been considerably moderated.

No estimate of the future of the Soviet Union would be complete without some mention of the probable development of governmental institutions and methods. In Marxist theory the dictatorship of the proletariat is a temporary phase for a transitional period; as the need for it gradually disappears the dictatorship itself disappears. The eventual aim is a more real and complete democracy than has ever been known in the world before. This constitutes one of the most important differences between a Fascist and Communist dictatorship. People have the habit of lumping the two together as if they were in essence the same, but with fascism the dictatorship has a very different purpose and apparently is to be eternal; there is no thought of or provision for an ultimate transition to democracy.

Of course, it is theoretically possible that those who hold the power in the Soviet Government will never willingly give it up. If so, the ruling group will be betraying a fundamental tenet of Marxism. But the signs certainly point in the opposite direction.

This finishes my account of the five standards of judgment which seem to me most pertinent in comprehending what is going on in Soviet Russia at the present time. In conclusion, I should like to make one suggestion which I believe to be appropriate. This is that we Americans should remember that in the first 16 years of the American Revolution the new Republic went through a very difficult period. In 1792, 16 years after the Declaration of Independence, the youthful United States was still experiencing grave troubles. The Constitution had been in effect only 3 years; the country was in a turbulent state, chaotic, disunited, and poor; European observers were predicting failure; and foreign powers loomed menacingly on the horizon. Paradoxically enough, the most reactionary of the Old World nations, Czarist Russia, refused to recognize the revolutionary American Government for 33 years after the break with England. It is well to recall that the Americans of our own revolutionary era, like the Russians of today, had a rather hard time of it for a while.

OCIE C. HAWKINS—RETURN OF NOTICE OF CONFIRMATION

The PRESIDING OFFICER, as in executive session, laid before the Senate a message from the President of the United States, which was read, and, with the accompanying paper, ordered to lie on the table, as follows:

To the Senate:

In compliance with the request of the Senate of May 30, 1934, I return herewith the resolution of the Senate of May 24, 1934, advising and consenting to the appointment of Ocie C. Hawkins to be postmaster at Stanton, Tenn.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 4, 1934.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER, as in executive session, laid before the Senate messages from the President of the United States submitting nominations (and withdrawing a nomination), which were referred to the appropriate committees.

(For nominations this day received and nomination withdrawn, see the end of Senate proceedings.)

RECESS

Mr. ROBINSON of Arkansas. Mr. President, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 48 minutes p.m.) the Senate took a recess until tomorrow, Tuesday, June 5, 1934, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 4 (legislative day of May 28), 1934

UNITED STATES ATTORNEY

E. P. Carville, of Nevada, to be United States attorney, district of Nevada, to succeed Harry H. Atkinson, term expired.

COLLECTOR OF CUSTOMS

Harry P. Hornby, of Uvalde, Tex., to be collector of customs for customs collection district no. 23, with headquarters at San Antonio, Tex., in place of Harry L. Sexton, deceased.

SECRETARY OF THE TERRITORY OF HAWAII

Arthur A. Greene, of Hawaii, to be Secretary of the Territory of Hawaii, vice Raymond C. Brown.

SUPERVISING INSPECTOR, BUREAU OF NAVIGATION AND STEAMBOAT INSPECTION

Eugene Carlson, of Virginia, to be supervising inspector, Bureau of Navigation and Steamboat Inspection.

APPOINTMENTS IN THE REGULAR ARMY

TO BE BRIGADIER GENERAL

Col. Percy Poe Bishop, Coast Artillery Corps, from October 2, 1934, vice Brig. Gen. Julian R. Lindsey, to be retired from active service September 30, 1934.

TO BE SECOND LIEUTENANTS WITH RANK FROM JUNE 12, 1934

The following-named cadets, United States Military Academy, who are scheduled for graduation on June 12, 1934:

Corps of Engineers

1. Cadet Charles Francis Tank.
2. Cadet Thomas DeForth Rogers.
3. Cadet John Burroughs Cary.
5. Cadet Robert Erlenkotter.
6. Cadet John Hughes Donoghue.
7. Cadet Staunton Lindsley Brown.
8. Cadet Richard Moser Sieg.
9. Cadet Joseph Lemual Johnson.
10. Cadet Ferdinand Julian Tate.
11. Cadet Burton Blodgett Bruce.
12. Cadet Robert George MacDonnell.
13. Cadet Paul Carter Ashworth.
16. Cadet William Joslin Himes.
18. Cadet Rudolph Green.
21. Cadet Joseph Ochenschlager Killian.
22. Cadet Thomas Heber Lipscomb.
23. Cadet James Edward Walsh.
25. Cadet John Page Buehler.

Signal Corps

17. Cadet Robert Beauchamp Miller.
19. Cadet Charles Francis Fell.

Coast Artillery Corps

14. Cadet Charles Leon Andrews.
24. Cadet Austin Wortham Betts.
27. Cadet Edward Walter Moore.
28. Cadet Seymour Irving Gilman.
29. Cadet Curtis Delano Sluman.
30. Cadet Byron Elias Brugge.
31. Cadet Robert Butler Warren.
33. Cadet Wilford Edward Harry Voehl.
34. Cadet John Jacob Stark.
40. Cadet George Bernard Dany.
41. Cadet Harvey Julius Jablonsky.
43. Cadet Peter Samuel Peca.
44. Cadet Lawson S. Moseley, Jr.
45. Cadet Richard Ringo Moorman.
47. Cadet James Oscar Baker.
48. Cadet Lewis Kaspar Beazley.
50. Cadet Severin Richard Beyma.
54. Cadet Theodore Frelinghuysen Hoffman.
62. Cadet Joseph Sylvester Piram.
65. Cadet John DuVal Stevens.
66. Cadet Yale Harold Wolfe.
69. Cadet Franklin Kemble, Jr.
71. Cadet Gersen Leo Kushner.
80. Cadet George Julius Weitzel.
81. Cadet Charles Wadsworth Hill.
85. Cadet Henry William Ebel.
87. Cadet Jack Edward Shuck.
88. Cadet David Belmont Ruth.
92. Cadet Robert Griffith Finkenaure.
98. Cadet Alexander James Stuart, Jr.
99. Cadet Harrison Francis Turner.

- 102. Cadet William Monte Canterbury.
- 103. Cadet Kenneth Riffel Kenerick.

Field Artillery

- 20. Cadet Charles Rea Revie.
- 26. Cadet Paul Henry Berkowitz.
- 32. Cadet Thompson Brooke Maury, 3d.
- 35. Cadet William Sebastian Stone.
- 36. Cadet Jonathan Owen Seaman.
- 37. Cadet Kermit LeVelle Davis.
- 42. Cadet Urquhart Pullen Williams.
- 46. Cadet Jean Paul Craig.
- 51. Cadet Thomas Leslie Crystal, Jr.
- 55. Cadet Miles Birkett Chatfield.
- 56. Cadet Howard Marshall Batson, Jr.
- 58. Cadet Charles Henry White, Jr.
- 59. Cadet Arthur B. Proctor 3d.
- 60. Cadet William Jack Holzapfel, Jr.
- 61. Cadet Mathew Valois Pothier.
- 63. Cadet George Edward Adams.
- 67. Cadet John Farnsworth Smoller.
- 68. Cadet Craig Smyser.
- 72. Cadet Richard Edward Weber, Jr.
- 74. Cadet James Alexander Costain.
- 78. Cadet Robert Gardner Baker.
- 79. Cadet Ronald LeVerne Martin.
- 91. Cadet Peter James Kopcsak.
- 93. Cadet William Scott Penn, Jr.
- 96. Cadet Horace Lake Sanders.
- 100. Cadet William Dowdell Denson.
- 101. Cadet Percy Thomas Hennigar.
- 104. Cadet Richard Lee McKee.
- 106. Cadet Stacy William Gooch.
- 107. Cadet Clark Lynn, jr.
- 108. Cadet Edward Flanick.
- 110. Cadet Harry Jenkins Hubbard.
- 111. Cadet Samuel Knox Yarbrough, Jr.
- 112. Cadet Joe Free Surratt.
- 114. Cadet William Milton Gross.
- 117. Cadet Gordon Graham Warner.
- 119. Cadet Edward French Benson.
- 121. Cadet Robert Carl Bahr.
- 122. Cadet Frank Carter Norvell.
- 125. Cadet Robert Hawkins Adams.
- 126. Cadet Donald Glover McLennan.
- 128. Cadet Theodore Gilmore Bilbo, Jr.
- 130. Cadet Berton Everett Spivy, Jr.
- 132. Cadet Kenneth Alonzo Cunin.
- 133. Cadet Lawrence Kent Meade.
- 134. Cadet Thomas Eugene Wood.
- 139. Cadet Thomas Clary Foote.
- 140. Cadet John Huber Squier.
- 141. Cadet Charles Bernadou Elliott, Jr.
- 142. Cadet James Richard Winn.
- 144. Cadet Daniel Henry Heyne.
- 147. Cadet Wilson Hawkes Neal.

Cavalry

- 38. Cadet Ellis Oakes Davis.
- 52. Cadet Frederic Wood Barnes.
- 53. Cadet William Beechler Bunker.
- 73. Cadet Robert Waight Fuller, 3d.
- 75. Cadet Charles Warren Schnabel.
- 77. Cadet Carl Delbert Womack.
- 83. Cadet Donald Oliver Vars.
- 90. Cadet Travis Ludwell Petty.
- 105. Cadet Jerome Edward Blair, 2d.
- 124. Cadet John Walker Darrah, Jr.
- 127. Cadet John Francis Franklin, Jr.
- 129. Cadet Perry Bruce Griffith.
- 145. Cadet Harry Evans Lardin.
- 155. Cadet Theodore Fiquet Hurt, Jr.
- 157. Cadet Dana Watterson Johnston, Jr.
- 159. Cadet John Monroe Hutchison.
- 161. Cadet Daniel Edward Still.
- 163. Cadet Richard Albert Smith.
- 167. Cadet James William Snee.

- 171. Cadet Joseph Aloysius Cleary.
- 173. Cadet William Starr Van Nostrand.
- 174. Cadet Raymond Judson Reeves.
- 178. Cadet William Harvey Wise.
- 183. Cadet Harvey Thompson Alness.
- 184. Cadet Paul Earl Johnson, Jr.
- 196. Cadet Karl Trueheart Gould.

Infantry

- 4. Cadet James Fuller Miller, Jr.
- 15. Cadet Walter Jackson Renfroe, Jr.
- 39. Cadet William Loveland Rogers.
- 49. Cadet John Hicks Anderson.
- 57. Cadet Karl William Bauer.
- 64. Cadet Almon White Manlove.
- 70. Cadet Henry Richardson Hester.
- 76. Cadet Harold Charles Davall.
- 82. Cadet Gene Huggins Tibbets.
- 84. Cadet George Francis Wells.
- 86. Cadet Paul Tompkins Hanley.
- 89. Cadet Leroy Carl Miller.
- 94. Cadet John dePeyster Townsend Hills.
- 95. Cadet Frank Willoughby Moorman.
- 97. Cadet Merlin Louis DeGuire.
- 109. Cadet Leo William Henry Shaughnessey.
- 113. Cadet Charles John Bondley, Jr.
- 115. Cadet Claude Morris Howard.
- 116. Cadet Dale Orville Smith.
- 118. Cadet Hudson Hutton Upham.
- 120. Cadet Albert Patterson Mossman.
- 123. Cadet Vincent Shaw Lamb.
- 131. Cadet Stilson Hilton Smith, Jr.
- 135. Cadet Fredric Carson Cook.
- 136. Cadet Lloyd Elmer Fellenz.
- 137. Cadet Joseph Michael Cummins, Jr.
- 138. Cadet Percival Stanley Brown.
- 143. Cadet Louis Lee Ingram.
- 146. Cadet Paul Burlingame, Jr.
- 148. Cadet Elvin Seth Ligon, Jr.
- 149. Cadet Charles Herbert Wood.
- 150. Cadet Jack Jerome Neely.
- 151. Cadet John Wentworth Merrill.
- 152. Cadet Charles Burton Winkle.
- 153. Cadet Herbert Marvin Baker, Jr.
- 154. Cadet George Rolfe Walton.
- 156. Cadet Thew Joseph Ice, Jr.
- 158. Cadet Daniel Murray Cheston, Jr.
- 160. Cadet Edmund Waller Wilkes.
- 162. Cadet Clifford Guldlin Simenson.
- 164. Cadet Arno Herman Luehman.
- 165. Cadet Paul Lawrence Barton.
- 166. Cadet Frank Joseph Caufield.
- 168. Cadet Ralph Emerson Bucknam, Jr.
- 169. Cadet Floyd Felice Forte.
- 170. Cadet James Dudley Wilmeth.
- 172. Cadet Stanley Holmes.
- 175. Cadet Harry Lester Hillyard.
- 176. Cadet Robert Hugh Bennett.
- 177. Cadet William Hutcheson Craig.
- 179. Cadet Richard Andrew Legg.
- 180. Cadet Ralph Doak McKinney.
- 181. Cadet Gerald Joseph Higgins.
- 185. Cadet John Thomas Hillis.
- 186. Cadet Charles Edward Johnson.
- 187. Cadet Robert Carson Kyser.
- 188. Cadet John Dixon Lawlor.
- 189. Cadet Russell William Volckmann.
- 190. Cadet Donald Linscott Durfee.
- 191. Cadet Victor Charles Huffsmith.
- 192. Cadet Sidney Thompson Telford.
- 193. Cadet Hallett Daniel Edson.
- 194. Cadet Edwin Rusteberg.
- 195. Cadet Albert Theodore Wilson, Jr.
- 197. Cadet Harold Webb Browning.
- 198. Cadet Herbert Hadley Andrae.
- 199. Cadet William Frederick Northam.
- 200. Cadet George Lowe Eatman.

201. Cadet John Berchman Stanley.
202. Cadet John William White.
203. Cadet John Stotsenburg Kromer.
204. Cadet Charles Edward Brown.
205. Cadet Nathaniel Plummer Ward, 3d.
206. Cadet James Buchanan Wells.
207. Cadet Donald Adams McPherson.
209. Cadet Thomas Hogan Hayes.
210. Cadet Robert Herbert Sanders.
211. Cadet Paul Lee Turner, Jr.
212. Cadet Arthur Lafayette Inman.
213. Cadet Stanley Joseph Donovan.
214. Cadet Henry Agnew Sebastian.
215. Cadet Harold Conly Brookhart.
216. Cadet Edward Messmore O'Connell.
217. Cadet Russell Walker Jenna.
218. Cadet Gerhard Leroy Bolland.
219. Cadet William Bentley Kern.
220. Cadet Louis Alfred Walsh, Jr.
221. Cadet James Frederick Harris.
222. Cadet George Horner Gerhart.
223. Cadet Thomas Andrew McCrary.
224. Cadet John George Benner.
225. Cadet Eugene Harrington Cloud.
226. Cadet Dale Emerson Huber.
227. Cadet Travis Tabor Brown.
228. Cadet Edwin Gantt Hickman.
229. Cadet John Elwood Mead.
230. Cadet Arthur Ferdinand Meier.
231. Cadet David Lyon Hollingsworth.
232. Cadet William Alexander Cunningham, 3d.
233. Cadet Edward Ernest Bruno Weber.
234. Cadet John Edwards Diefendorf, Jr.
235. Cadet Meade Julian Dugas.
236. Cadet Thomas Almon O'Neil.
237. Cadet Emory Alexander Lewis.
238. Cadet Samuel Alfred Luttrell.
239. Cadet William Joseph Mullen, Jr.
240. Cadet William Hammond Waugh, Jr.
241. Cadet Henry Neilson.
243. Cadet William Graham Barnwell, Jr.
244. Cadet Robert Hector McKinnon.
245. Cadet Oliver Prescott Robinson, Jr.
246. Cadet Dennis John McMahon.
247. Cadet James O'Hara.
248. Cadet Robert Nabors Tyson.
249. Cadet Joseph Edward Barzynski, Jr.
250. Cadet John Buchanan Richardson, Jr.

POSTMASTERS

ALABAMA

J. Thomas Martin to be postmaster at Jacksonville, Ala., in place of A. J. Beard. Incumbent's commission expired March 22, 1934.

Lorenzo D. McCrary to be postmaster at Prattville, Ala., in place of Alice Wilkinson. Incumbent's commission expired March 8, 1934.

Madge S. Jefferies to be postmaster at Citronelle, Ala., in place of J. T. Haertel. Incumbent's commission expired February 28, 1933.

Kate B. Patterson to be postmaster at Falkville, Ala., in place of R. O. Spiegel. Incumbent's commission expired January 22, 1934.

Ella L. Rentz to be postmaster at Gilbertown, Ala., in place of E. L. Rentz. Incumbent's commission expired December 18, 1933.

Alba Freeland to be postmaster at Grand Bay, Ala., in place of A. A. Frazee. Incumbent's commission expired December 11, 1932.

Emma E. Yarbrough to be postmaster at Monroeville, Ala., in place of E. E. Yarbrough. Incumbent's commission expired December 18, 1933.

Herman Grimes to be postmaster at Pine Apple, Ala., in place of M. V. Compton. Incumbent's commission expired December 14, 1932.

Alice Armstrong to be postmaster at Stevenson, Ala., in place of Allie Wilson. Incumbent's commission expired January 26, 1933.

Joe H. Kerr to be postmaster at Wedowee, Ala., in place of C. S. Prescott, resigned.

William H. McDonough to be postmaster at Whistler, Ala., in place of M. L. Hammond. Incumbent's commission expired October 31, 1933.

ARKANSAS

Earl T. Estes to be postmaster at Calico Rock, Ark., in place of Charley Jones. Incumbent's commission expired December 11, 1932.

Henry M. Landers to be postmaster at Murfreesboro, Ark., in place of H. A. Parker, removed.

Fred W. Lemay to be postmaster at Alicia, Ark., in place of C. G. Felts. Incumbent's commission expired March 22, 1934.

Wyeth S. Daniel to be postmaster at Marshall, Ark., in place of W. G. Fendley, resigned.

Paul Janes to be postmaster at Ravenden, Ark., in place of Robert Dail. Incumbent's commission expired January 9, 1934.

Jesse T. Howard to be postmaster at Smithville, Ark., in place of J. T. Todd. Incumbent's commission expired April 16, 1934.

Cecil H. Justus to be postmaster at Tyronza, Ark., in place of W. H. Moreland. Incumbent's commission expired March 22, 1934.

CALIFORNIA

William M. Erwin to be postmaster at Hanford, Calif., in place of G. A. Weishar, retired.

Roy W. Scott to be postmaster at Baldwin Park, Calif., in place of E. L. Dithridge. Incumbent's commission expired February 10, 1934.

Alice E. Schieck to be postmaster at Eldridge, Calif., in place of A. E. Schieck. Incumbent's commission expired June 4, 1934.

Magdalena Seawell to be postmaster at Healdsburg, Calif., in place of M. E. Adams, removed.

COLORADO

Patrick H. Kastler to be postmaster at Brush, Colo., in place of D. P. Saunders, deceased.

Harry J. Bender to be postmaster at Edgewater, Colo., in place of T. N. Wayne. Incumbent's commission expired December 13, 1932.

CONNECTICUT

Charles F. Schaefer to be postmaster at Greens Farms, Conn. Office became Presidential July 1, 1932.

FLORIDA

James L. Richbourg to be postmaster at Laurelhill, Fla., in place of J. L. Richbourg. Incumbent's commission expired February 10, 1934.

Sidney E. Livingston to be postmaster at Homestead, Fla., in place of Sherwood Hodson, removed.

GEORGIA

Walter R. Cannon to be postmaster at Clayton, Ga., in place of W. R. Cannon. Incumbent's commission expired May 17, 1930.

HAWAII

Ernest Rapozo to be postmaster at Kapaa, Hawaii, in place of J. F. Rapozo. Incumbent's commission expired March 22, 1934.

IDAHO

Rose J. Hamacher to be postmaster at Spirit Lake, Idaho, in place of R. J. Hamacher. Incumbent's commission expired May 29, 1934.

ILLINOIS

Narcisse L. Marcotte to be postmaster at Bourbonnais, Ill., in place of R. J. Arseneau. Incumbent's commission expired January 31, 1934.

Martin M. Dalrymple to be postmaster at Chrisman, Ill., in place of P. A. Scott, removed.

Carney V. Kerley to be postmaster at Simpson, Ill., in place of W. C. Kelley. Incumbent's commission expired January 8, 1934.

Frank E. Binkley to be postmaster at Warrensburg, Ill., in place of F. E. Schroeder. Incumbent's commission expired December 18, 1933.

Louie E. Dixon to be postmaster at Biggsville, Ill., in place of Nancy Jamison. Incumbent's commission expired December 18, 1933.

Charles A. Etherton to be postmaster at Carbondale, Ill., in place of J. H. Boos, removed.

Arthur L. Larson to be postmaster at Des Plaines, Ill., in place of O. W. J. Henrich. Incumbent's commission expired February 6, 1934.

James F. Grogan to be postmaster at Elmhurst, Ill., in place of L. A. Luetgert. Incumbent's commission expired April 30, 1932.

DeCourcy Lloyd to be postmaster at Glencoe, Ill., in place of P. W. Armstrong. Incumbent's commission expired January 12, 1932.

Otto Frank to be postmaster at Lake Zurich, Ill., in place of W. H. Prehm. Incumbent's commission expired September 18, 1933.

Paul W. Poorman to be postmaster at Mattoon, Ill., in place of Mack Sparks, deceased.

Jane M. Dorfler to be postmaster at Mundelein, Ill., in place of R. J. Hodge. Incumbent's commission expired December 18, 1933.

Ellis J. O'Daniel to be postmaster at New Lenox, Ill. Office became Presidential July 1, 1932.

Ross St. Clair Tary to be postmaster at Seaton, Ill., in place of W. D. Coffland, removed.

INDIANA

Alva Davis to be postmaster at Arcadia, Ind., in place of Frank Lyon, removed.

Mary Williams to be postmaster at Attica, Ind., in place of J. F. McDermond, Jr., removed.

Daniel V. Clem to be postmaster at Covington, Ind., in place of F. R. Harden, removed.

Frank S. Dubczak to be postmaster at East Chicago, Ind., in place of D. W. Dupes. Incumbent's commission expires June 20, 1934.

William J. O'Donnell to be postmaster at Gary, Ind., in place of A. S. Hess. Incumbent's commission expired December 18, 1933.

William E. Etcheson to be postmaster at Roachdale, Ind., in place of E. L. Coffman. Incumbent's commission expired January 22, 1934.

Milton Edward Storer to be postmaster at St. Joe, Ind., in place of A. M. Baker. Incumbent's commission expired January 11, 1934.

Albert J. Anderson to be postmaster at Shirley, Ind., in place of H. L. Johnson, removed.

Harvey W. Doering to be postmaster at Wakarusa, Ind., in place of J. W. Hunsberger. Incumbent's commission expired February 28, 1933.

Kenneth R. Parker to be postmaster at Westfield, Ind., in place of J. C. Hinshaw, removed.

Patrick D. Sullivan to be postmaster at Whiting, Ind., in place of F. G. Kennedy. Incumbent's commission expired January 22, 1934.

Richard A. Conn to be postmaster at Brook, Ind., in place of C. A. Warr, removed.

Emma V. Spinks to be postmaster at Dugger, Ind., in place of J. M. Sweeney, removed.

Ruth Storen to be postmaster at Lexington, Ind., in place of C. E. Hardy. Incumbent's commission expired February 14, 1934.

Galen Benjamin to be postmaster at Monticello, Ind., in place of H. A. Douglass, removed.

Edward P. Lane to be postmaster at Rensselaer, Ind., in place of H. A. McColly, removed.

Merton L. Hughbanks to be postmaster at Scottsburg, Ind., in place of E. M. Ray, resigned.

IOWA

Clarence W. Stuart to be postmaster at Altoona, Iowa, in place of O. J. Perdue. Incumbent's commission expired January 31, 1934.

Edna M. McCabe to be postmaster at Hillsboro, Iowa, in place of W. S. Ferree. Incumbent's commission expired January 16, 1934.

Michael R. Griebel to be postmaster at Lone Tree, Iowa, in place of E. E. Shibley. Incumbent's commission expired April 16, 1934.

Katharine H. Wallace to be postmaster at Redding, Iowa, in place of A. F. Parker. Incumbent's commission expired April 16, 1934.

Harris D. MacGugin to be postmaster at Wellman, Iowa, in place of Joseph McClelland, removed.

KENTUCKY

Thomas A. Spalding to be postmaster at Bardstown, Ky., in place of R. S. Tuttle, resigned.

George A. Buckner to be postmaster at Blue Diamond, Ky., in place of Levi Brooks. Incumbent's commission expired December 12, 1932.

Willis Conley to be postmaster at Garrett, Ky., in place of V. M. Spencer. Incumbent's commission expired June 11, 1933.

MAINE

Charlotte M. Buck to be postmaster at Buckfield, Maine, in place of B. A. Hutchinson, deceased.

Carroll A. Matthieu to be postmaster at Farmington, Maine, in place of H. B. Brown, deceased.

MASSACHUSETTS

John E. Harrington to be postmaster at North Chelmsford, Mass., in place of J. H. Valentine. Incumbent's commission expired January 22, 1934.

Dominick F. Corrigan to be postmaster at Fall River, Mass., in place of Godefroy de Tonnacour, deceased.

MICHIGAN

John Leon Breckenridge to be postmaster at Breckenridge, Mich., in place of Ernest Muscott. Incumbent's commission expired January 28, 1934.

Michael Leary to be postmaster at Calumet, Mich., in place of Edward Keisu. Incumbent's commission expired February 13, 1933.

Roger J. Tobin to be postmaster at Channing, Mich., in place of H. M. Boll. Incumbent's commission expired December 16, 1933.

Johanna Rosie to be postmaster at Macatawa, Mich., in place of Leonard Van Regenmorter. Incumbent's commission expired December 16, 1933.

Max A. Hill to be postmaster at Vicksburg, Mich., in place of L. A. Strong. Incumbent's commission expired December 16, 1933.

Max E. Wilson to be postmaster at Waldron, Mich., in place of V. R. Reynolds. Incumbent's commission expired December 16, 1933.

William G. F. L. Wentzel to be postmaster at Zeeland, Mich., in place of W. L. Claver, transferred.

MINNESOTA

Elmer J. Larson to be postmaster at Cokato, Minn., in place of N. E. Berg. Incumbent's commission expired February 25, 1933.

Catherine C. Burns to be postmaster at Glenwood, Minn., in place of C. S. Wollan, removed.

Martin T. Haley to be postmaster at Hibbing, Minn., in place of T. J. Godfrey, removed.

Joseph G. Bauer to be postmaster at Madison, Minn., in place of O. T. Mork, resigned.

William E. Charlton to be postmaster at Williams, Minn., in place of Anton Levandosky, deceased.

John R. Schisler to be postmaster at Winthrop, Minn., in place of O. S. Lofthus. Incumbent's commission expired January 22, 1934.

Loretta M. Harper to be postmaster at Worthington, Minn., in place of M. P. Mann, resigned.

Michael E. Gartner to be postmaster at Preston, Minn., in place of J. A. Christenson, removed.

MISSISSIPPI

Ida F. Thompson to be postmaster at Dlo, Miss., in place of I. F. Thompson. Incumbent's commission expired December 16, 1933.

Ida E. Ormond to be postmaster at Forest, Miss., in place of J. E. Nordan. Incumbent's commission expired June 14, 1933.

Virginia B. Duckworth to be postmaster at Prentiss, Miss., in place of V. B. Duckworth. Incumbent's commission expired March 2, 1933.

MISSOURI

Charles M. Murray to be postmaster at Cameron, Mo., in place of C. P. Dorsey. Incumbent's commission expired April 30, 1934.

Alfred M. Pondrom to be postmaster at Florissant, Mo., in place of J. J. Henke, resigned.

Birdie W. Brown to be postmaster at Forest City, Mo., in place of C. T. Lease. Incumbent's commission expired April 30, 1934.

Fannie McClintock to be postmaster at Gower, Mo., in place of A. G. Witt. Incumbent's commission expired April 22, 1934.

NEBRASKA

Lorraine M. Corey to be postmaster at Homer, Nebr., in place of F. E. Davis. Incumbent's commission expired April 2, 1934.

John D. Juilfs to be postmaster at Talmage, Nebr., in place of August Dickenman. Incumbent's commission expired December 16, 1933.

Charles J. Carrig to be postmaster at Columbus, Nebr., in place of F. A. Scofield. Incumbent's commission expired January 28, 1934.

Marie Weekes to be postmaster at Norfolk, Nebr., in place of H. L. Wichman, transferred.

Vera J. King to be postmaster at Primrose, Nebr., in place of Alice Ward. Incumbent's commission expired March 18, 1934.

Frank R. Hall to be postmaster at St. Edward, Nebr., in place of S. J. Kennedy. Incumbent's commission expired April 16, 1934.

John J. Burns to be postmaster at Scotia, Nebr., in place of P. J. Seefus. Incumbent's commission expired April 16, 1934.

Josh B. Keene to be postmaster at Sumner, Nebr., in place of F. A. Millhouse. Incumbent's commission expired March 18, 1934.

NEW JERSEY

Clyde E. Miller to be postmaster at Ashland, N.J., in place of H. E. Morton. Incumbent's commission expired December 11, 1933.

Lillian M. Roe to be postmaster at Mountain View, N.J., in place of A. K. Brubaker. Incumbent's commission expired January 28, 1934.

Michael S. Malone to be postmaster at Rockaway, N.J., in place of H. W. Mutchler. Incumbent's commission expired December 14, 1932.

Floyd J. Kays to be postmaster at Sparta, N.J., in place of H. C. Dodge. Incumbent's commission expired March 8, 1934.

Mamie R. Stone to be postmaster at Egg Harbor City, N.J., in place of Charles Morgenweck, Sr., resigned.

George T. Applegate to be postmaster at Fords, N.J., in place of R. E. Liddle. Incumbent's commission expired December 14, 1932.

Fred G. Leiser to be postmaster at Hudson Heights, N.J., in place of G. L. Buyers, resigned.

John F. Sinnott, Jr., to be postmaster at Newark, N.J., in place of F. J. Bock, removed.

James E. Porter, Jr., to be postmaster at Rumson, N.J., in place of R. J. Rogers. Incumbent's commission expired December 18, 1933.

NEW MEXICO

Walter W. Mayes to be postmaster at Clovis, N.Mex., in place of J. C. Luikart. Incumbent's commission expired May 7, 1934.

NEW YORK

Elloy R. Ganey to be postmaster at Jamestown, N.Y., in place of C. A. Sandburg, resigned.

Thomas F. Tobin to be postmaster at Kings Park, N.Y., in place of F. E. Proctor. Incumbent's commission expired December 16, 1933.

Morgan A. Lynk to be postmaster at Sharon Springs, N.Y., in place of L. N. Hiller. Incumbent's commission expired December 16, 1933.

Raymond J. Buckley to be postmaster at Valley Stream, N.Y., in place of E. G. Schumacher. Incumbent's commission expired March 18, 1934.

Michael G. Gaffney to be postmaster at Clinton, N.Y., in place of F. C. Daws. Incumbent's commission expired December 16, 1933.

John T. O'Leary to be postmaster at Irvington, N.Y., in place of J. P. Fallon, retired.

Richard P. Stanton to be postmaster at Millbrook, N.Y., in place of M. J. Doyle. Incumbent's commission expired January 22, 1934.

Robert C. McCarthy to be postmaster at Palmyra, N.Y., in place of R. D. Sessions. Incumbent's commission expired December 16, 1933.

Fenton J. Taylor to be postmaster at Warsaw, N.Y., in place of W. R. Crawford. Incumbent's commission expired March 18, 1934.

NORTH CAROLINA

Zula S. Glovier to be postmaster at Catawba, N.C., in place of T. E. Harwell. Incumbent's commission expired January 20, 1934.

Annie C. Burns to be postmaster at Lawndale, N.C., in place of P. P. Richards. Incumbent's commission expired February 10, 1934.

William Samuel Somers to be postmaster at Reidsville, N.C., in place of W. R. Anderson, transferred.

Fountain F. Cox to be postmaster at Robersonville, N.C., in place of W. E. Vick. Incumbent's commission expired April 28, 1934.

NORTH DAKOTA

Charles C. Shearer to be postmaster at Flasher, N.Dak., in place of N. H. Whitcomb. Incumbent's commission expired January 28, 1934.

John A. Hamilton to be postmaster at McClusky, N.Dak., in place of J. F. Dunn. Incumbent's commission expired December 16, 1933.

John E. Hunter to be postmaster at Mayville, N.Dak., in place of L. O. Fjeld, removed.

Frederich A. Rettke to be postmaster at Niagara, N.Dak., in place of F. A. Rettke. Incumbent's commission expired May 29, 1934.

Erick J. Moen to be postmaster at Osnabrock, N.Dak., in place of D. L. Rourke, removed.

Anne E. Chilton to be postmaster at Towner, N.Dak., in place of E. M. Gillmer. Incumbent's commission expired December 16, 1933.

Grace G. Berkness to be postmaster at Wolford, N.Dak., in place of G. G. Berkness. Incumbent's commission expired April 28, 1934.

OHIO

Emmett L. Partee to be postmaster at Defiance, Ohio, in place of A. B. DeKay, deceased.

Charles A. Spies to be postmaster at East Canton, Ohio, in place of L. L. Nash. Incumbent's commission expired March 18, 1934.

James M. Ruckman to be postmaster at La Rue, Ohio, in place of A. B. Henkle. Incumbent's commission expired March 8, 1934.

John L. O'Hara to be postmaster at New London, Ohio, in place of L. L. Leech. Incumbent's commission expired April 28, 1934.

Stanley F. Kimmel to be postmaster at New Madison, Ohio, in place of H. F. Mikesell. Incumbent's commission expired March 18, 1934.

Wilma L. Aiken to be postmaster at Tiltonsville, Ohio, in place of E. E. Garner. Incumbent's commission expired April 16, 1934.

OKLAHOMA

Richard B. Carson to be postmaster at Castle, Okla., in place of S. A. Loveland. Incumbent's commission expired January 22, 1934.

Vivienne C. Ford to be postmaster at Billings, Okla., in place of G. A. Strouse, resigned.

Wilma P. Walcher to be postmaster at Braman, Okla., in place of R. E. Dickerson. Incumbent's commission expired April 28, 1934.

Sylvia M. Grace to be postmaster at Laverne, Okla., in place of L. H. Ball, removed.

Edward S. Bowles to be postmaster at Perry, Okla., in place of L. G. Shoop, removed.

OREGON

George A. Belloni to be postmaster at Coquille, Oreg., in place of H. C. Getz. Incumbent's commission expired December 13, 1932.

John D. Kennedy to be postmaster at North Portland, Oreg., in place of E. W. VanHorn, removed.

Kenneth E. Sturges to be postmaster at Linnton, Oreg., in place of J. B. Schaefer. Incumbent's commission expired December 18, 1933.

Oscar E. Marvin to be postmaster at Wallowa, Oreg., in place of J. E. Tulley. Incumbent's commission expired March 8, 1934.

PENNSYLVANIA

Ramsey S. Black to be postmaster at Harrisburg, Pa., in place of C. E. Pass. Incumbent's commission expired February 10, 1934.

James F. O'Brien to be postmaster at Allison Park, Pa., in place of A. C. Groth. Incumbent's commission expired December 19, 1933.

Daniel J. McDonough to be postmaster at Ardmore, Pa., in place of J. M. Baltz. Incumbent's commission expired May 2, 1933.

Thomas P. Noon to be postmaster at Ashland, Pa., in place of H. H. Spaide, removed.

Ard B. Carson to be postmaster at Belleville, Pa., in place of J. F. Wills. Incumbent's commission expired January 28, 1934.

Beulah E. Hayden to be postmaster at Dalton, Pa., in place of R. S. Gumaer. Incumbent's commission expired February 14, 1934.

Alice E. Shoemaker to be postmaster at Fayetteville, Pa., in place of B. C. Myers, removed.

Anna F. Martin to be postmaster at Gordon, Pa., in place of J. S. Curren. Incumbent's commission expired February 9, 1933.

Walter C. Blessing to be postmaster at Hellam, Pa., in place of D. M. Gilbert. Incumbent's commission expired January 19, 1933.

Clarence R. Baker to be postmaster at Hollsopple, Pa., in place of C. R. Baker. Incumbent's commission expired December 18, 1932.

John M. Langan to be postmaster at Moscow, Pa., in place of J. W. Clouse. Incumbent's commission expired January 13, 1932.

Alfred Yeiser to be postmaster at Palmyra, Pa., in place of T. E. Lerch. Incumbent's commission expired February 28, 1933.

Irvin C. Davis to be postmaster at Shavertown, Pa., in place of H. S. Van Campen, removed.

Wilson C. Reider to be postmaster at Shickshinny, Pa., in place of B. J. Everett. Incumbent's commission expired January 26, 1933.

Mary Pavlik to be postmaster at Universal, Pa., in place of Joseph Straka. Incumbent's commission expired December 18, 1933.

Charles J. Trexler to be postmaster at Windgap, Pa., in place of Nathaniel Shaplin, removed.

SOUTH DAKOTA

Joseph A. Stanek to be postmaster at Fairfax, S.Dak., in place of P. W. Lambert. Incumbent's commission expired April 28, 1934.

William B. Boe to be postmaster at Presho, S.Dak., in place of R. G. Andis, removed.

TENNESSEE

James W. Stout to be postmaster at Decaturville, Tenn., in place of A. F. Adair. Incumbent's commission expired April 15, 1934.

TEXAS

Clinton C. Burgess to be postmaster at Baytown, Tex., in place of C. H. Miller. Incumbent's commission expired December 7, 1932.

George A. Reading to be postmaster at Richmond, Tex., in place of Tolbert Hannon, removed.

Fordyce C. Woodward to be postmaster at Santa Anna, Tex., in place of R. L. Mobley. Incumbent's commission expired December 8, 1932.

John N. Snell, Jr., to be postmaster at Sunset Heights, Tex., in place of N. M. Farber, removed.

Edward F. Gaston to be postmaster at Dayton, Tex., in place of W. C. Guest. Incumbent's commission expired April 15, 1934.

Leonard B. Baldwin to be postmaster at Huntsville, Tex., in place of M. S. Parish. Incumbent's commission expired May 29, 1934.

Willie B. King to be postmaster at Navasota, Tex., in place of I. H. Garvin. Incumbent's commission expired December 20, 1932.

VERMONT

Frank Regan to be postmaster at Manchester, Vt., in place of O. R. Bennett. Incumbent's commission expired April 15, 1934.

Laura L. Veyette to be postmaster at Quechee, Vt., in place of E. H. Churchill. Incumbent's commission expired December 20, 1932.

VIRGINIA

Reginald B. Turner to be postmaster at East Falls Church, Va., in place of P. B. Nourse, removed.

J. Will Stockley to be postmaster at Keller, Va., in place of F. C. Mears. Incumbent's commission expired April 13, 1932.

Pauline H. Duncan to be postmaster at Riverton, Va., in place of F. C. Hammock. Incumbent's commission expired April 8, 1934.

Rufus G. Roberts to be postmaster at Culpeper, Va., in place of O. R. Thornhill, removed.

Lewis M. Coyner to be postmaster at Fairfax, Va., in place of Ludema Sayre, removed.

Marcellus B. Garnett to be postmaster at Mathews, Va., in place of G. S. Marchant, removed.

David E. Bumpass, Jr., to be postmaster at Mineral, Va., in place of L. G. Perkins. Incumbent's commission expired February 17, 1934.

Margaret E. Downing to be postmaster at Painter, Va., in place of G. E. Jones. Incumbent's commission expired April 8, 1934.

George T. Collins to be postmaster at Rosslyn, Va. Office reestablished.

Fannie B. B. Sale to be postmaster at Tappahannock, Va., in place of R. B. Rouzie. Incumbent's commission expired March 18, 1934.

Lawrence Hottle to be postmaster at Toms Brook, Va., in place of M. B. Hockman. Incumbent's commission expired April 8, 1934.

WASHINGTON

Harold W. Kreidel to be postmaster at Cle Elum, Wash., in place of H. S. Thompson. Incumbent's commission expired January 28, 1934.

Walter C. Ketterman to be postmaster at Opportunity, Wash., in place of W. S. Kelsey. Incumbent's commission expired March 8, 1934.

James F. Tostevin to be postmaster at Retsil, Wash., in place of G. F. Thomas, removed.

Louie H. Saur to be postmaster at Selah, Wash., in place of J. O. Byron. Incumbent's commission expired March 8, 1934.

W. Kenneth Kingman to be postmaster at Chelan, Wash., in place of J. W. Chatfield. Incumbent's commission expired March 8, 1934.

Albert Buerstatte, Jr., to be postmaster at College Place, Wash., in place of J. F. Moyer, removed.

Ralph V. Browder to be postmaster at Oakesdale, Wash., in place of Guy McReynolds. Incumbent's commission expired January 28, 1934.

Arthur H. Gerl to be postmaster at Wilbur, Wash., in place of A. B. Foley. Incumbent's commission expired March 18, 1934.

WEST VIRGINIA

Jennings B. Campbell to be postmaster at Albright, W.Va., in place of R. B. Gibson. Incumbent's commission expired December 18, 1933.

Clarence L. Perkins to be postmaster at Gassaway, W.Va., in place of J. E. Pierson. Incumbent's commission expired December 18, 1933.

John W. McNabb to be postmaster at Paw Paw, W.Va., in place of Lilly Moser. Incumbent's commission expired March 8, 1934.

William C. Bishop to be postmaster at Scarbro, W.Va., in place of W. C. Bishop. Incumbent's commission expired May 29, 1934.

John A. Bursee to be postmaster at West Liberty, W.Va. Office became presidential July 1, 1932.

Wilson P. Barlow to be postmaster at Buckhannon, W.Va., in place of J. B. Hilleary, removed.

John B. Puryear, Jr., to be postmaster at Holden, W.Va., in place of J. O. Buskirk, removed.

Bess M. Gwinn to be postmaster at Thurmond, W.Va., in place of H. A. Overholt, removed.

WISCONSIN

Melvin I. Dunn to be postmaster at Fall River, Wis., in place of E. E. Hains. Incumbent's commission expired January 29, 1933.

Birnam M. Walker to be postmaster at Hancock, Wis., in place of R. L. Thompson. Incumbent's commission expired December 18, 1933.

Fern Dagnon to be postmaster at Ferryville, Wis., in place of J. H. Sterling. Incumbent's commission expired January 31, 1934.

Julia L. Quigley to be postmaster at Arena, Wis., in place of D. D. Shea, deceased.

Raymond Dufek to be postmaster at Denmark, Wis., in place of D. M. Enz. Incumbent's commission expired January 28, 1934.

Archie A. Veness to be postmaster at Exeland, Wis., in place of M. C. Keasling, removed.

Ethel E. Welch to be postmaster at Gleason, Wis., in place of E. O. Noel, removed.

Earl L. Persons to be postmaster at Lake Nebagamon, Wis., in place of J. A. Chisholm. Incumbent's commission expired February 14, 1934.

Walter E. Smith to be postmaster at Lodi, Wis., in place of H. S. Caldwell. Incumbent's commission expired February 28, 1933.

Cleveland N. Akey to be postmaster at Port Edwards, Wis., in place of F. S. Brazeau, deceased.

WITHDRAWAL

Executive nomination withdrawn from the Senate June 4 (legislative day of May 28), 1934

POSTMASTER

Daniel A. Wieland to be postmaster at Palmyra, in the State of Pennsylvania.

HOUSE OF REPRESENTATIVES

MONDAY, JUNE 4, 1934

The House met at 11 o'clock.

The Chaplain, Rev. James Shera Montgomery, D.D., offered the following prayer:

Gracious Lord and only Savior, Thou who dost hear our sighs, count our tears and whose land is on the breaking heart, wilt hear us when we pray. We rejoice that love made the world; love is in the world and love will triumph in the end. We thank Thee that to this conclusion came at last the spiritual teacher of the old world when He said: Like as a father pitieth his children, so the Lord pitieth them that fear Him, for He knoweth our frame; He remembereth that we are dust. Heavenly Father, help us to grasp this eternal truth, and may we praise Thee that it is as stable as the rock of ages. Forgive us the sins we once cherished as we lift our hearts in prayer for the Father's compassion. Engage us to follow in the train of the Galilean whose teachings ever war against selfishness, injustice, and sin. In the Master's name. Amen.

The Journal of the proceedings of Saturday was read and approved.

DEFICIENCY APPROPRIATION BILL—1935

Mr. BUCHANAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 9830) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1934, and prior fiscal years, to provide supplemental general and emergency appropriations for the fiscal years ending June 30, 1934, and June 30, 1935, and for other purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1934, and prior fiscal years, to provide supplemental general and emergency appropriations for the fiscal years ending June 30, 1934, and June 30, 1935, and for other purposes, namely:

TITLE I. GENERAL APPROPRIATIONS—LEGISLATIVE ESTABLISHMENT HOUSE OF REPRESENTATIVES

For payment to the widow of Edward B. Almon, late a Representative from the State of Alabama, \$8,500.

For payment in equal increments to Caroline Mell, Julia Sasnett, and Louelle Rawlston, daughters of Charles H. Brand, late a Representative from the State of Georgia, \$8,500.

For payment to the widow of John D. Clarke, late a Representative from the State of New York, \$8,500.

For payment to the widow of Joseph I. Hooper, late a Representative from the State of Michigan, \$8,500.

For payment to the widow of Lynn S. Hornor, late a Representative from the State of West Virginia, \$8,500.

For payment to the widow of Bolivar E. Kemp, late a Representative from the State of Louisiana, \$8,500.

For payment to the widow of James S. Parker, late a Representative from the State of New York, \$8,500.

For payment to the widow of Edward W. Pou, late a Representative from the State of North Carolina, \$8,500.

For payment to the widow of Henry W. Watson, late a Representative from the State of Pennsylvania, \$8,500.

The foregoing sums to be disbursed by the Sergeant at Arms of the House.

Contested-election expenses: For payments to contestants and contestees for expenses incurred in the contested-election cases of *Lovette v. Reece*, *Ellis v. Thurston*, and *McAndrews v. Britten*, as audited and recommended by the Committee on Elections No. 1, respectively, as follows:

To O. B. Lovette, contestant, \$1,993.61;

To B. Carroll Reece, contestee, \$1,782.46;

To Lloyd Thurston, contestee, \$2,000;

To James McAndrews, contestant, \$1,657.82;

To Fred A. Britten, contestee, \$2,000;

In all, \$9,433.89, to be disbursed by the Clerk of the House.

For payments to contestants and contestees for expenses incurred in the contested-election cases of *Chandler v. Burnham*, *Estep v. Ellenbogen*, and *Gormley v. Goss*, as audited and recommended by the Committee on Elections No. 2, respectively, as follows:

To Claude Chandler, contestant, \$2,000;

To George Burnham, contestee, \$2,000;

To Henry Ellenbogen, contestee, \$805.26;

To Edward W. Goss, contestee, \$2,000;

To Martin E. Gormley, contestant, \$2,000;

In all, \$8,805.26, to be disbursed by the Clerk of the House.